

1-1 By: Buckley, et al. (Senate Sponsor - Creighton) H.B. No. 2
 1-2 (In the Senate - Received from the House April 22, 2025;
 1-3 April 23, 2025, read first time and referred to Committee on
 1-4 Education K-16; May 20, 2025, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 9, Nays 0, two
 1-6 present not voting; May 20, 2025, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15				X
1-16	X			
1-17	X			
1-18	X			
1-19				X

1-20 COMMITTEE SUBSTITUTE FOR H.B. No. 2 By: Bettencourt

1-21 A BILL TO BE ENTITLED
 1-22 AN ACT

1-23 relating to public education and public school finance.
 1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-25 ARTICLE 1. TEACHER COMPENSATION
 1-26 SECTION 1.01. Section 21.3521, Education Code, is amended
 1-27 by amending Subsections (a), (c), and (e) and adding Subsections
 1-28 (c-1), (d-1), (d-2), and (d-3) to read as follows:
 1-29 (a) Subject to Subsection (b), a school district or
 1-30 open-enrollment charter school may designate a classroom teacher as
 1-31 a master, exemplary, ~~or~~ recognized, or acknowledged teacher for a
 1-32 five-year period based on the results from single year or multiyear
 1-33 appraisals that comply with Section 21.351 or 21.352.
 1-34 (c) Notwithstanding performance standards established
 1-35 under Subsection (b) and subject to authorization under Section
 1-36 21.3523, a classroom teacher that holds a National Board
 1-37 Certification issued by the National Board for Professional
 1-38 Teaching Standards may be designated as nationally board certified
 1-39 ~~recognized~~.
 1-40 (c-1) A classroom teacher's designation under Subsection
 1-41 (c) is valid for a five-year period, regardless of whether the State
 1-42 Board for Educator Certification subsequently revokes
 1-43 authorization for a nationally board certified teacher designation
 1-44 under Section 21.3523.
 1-45 (d-1) Each school year, the commissioner shall, using
 1-46 criteria developed by the commissioner, designate as enhanced
 1-47 teacher incentive allotment systems school districts and
 1-48 open-enrollment charter schools that implement comprehensive
 1-49 school evaluation and support systems. The criteria developed by
 1-50 the commissioner must require a district or school to:
 1-51 (1) for principals and assistant principals,
 1-52 implement:
 1-53 (A) a strategic evaluations system aligned with
 1-54 the district's or school's teacher designation system; and
 1-55 (B) a compensation system based on performance;
 1-56 (2) ensure that under the district's or school's
 1-57 teacher designation system substantially all classroom teachers,
 1-58 regardless of the grade level or subject area to which the teacher
 1-59 is assigned, are eligible to earn a designation under Subsection
 1-60 (a);

2-1 (3) implement for all classroom teachers a
2-2 compensation plan based on performance that:
2-3 (A) uses a salary schedule that differentiates
2-4 among classroom teachers based on staff appraisals; and
2-5 (B) does not include across-the-board salary
2-6 increases for classroom teachers except for periodic changes to the
2-7 district's or school's salary schedule to adjust for significant
2-8 inflation; and
2-9 (4) implement a locally designed plan to place highly
2-10 effective teachers at high needs campuses and in accordance with
2-11 Section 28.0062(a)(3).
2-12 (d-2) The commissioner may designate a school district or
2-13 open-enrollment charter school as an enhanced teacher incentive
2-14 allotment system under Subsection (d-1) only if the district or
2-15 school has implemented a local optional teacher designation system
2-16 under this section.
2-17 (d-3) The commissioner may remove a school district's or
2-18 open-enrollment charter school's designation under Subsection
2-19 (d-1) if the commissioner determines the district or school no
2-20 longer meets the criteria for the designation.
2-21 (e) The agency shall develop and provide technical
2-22 assistance for school districts and open-enrollment charter
2-23 schools that request assistance in implementing a local optional
2-24 teacher designation system, including:
2-25 (1) providing assistance in prioritizing high needs
2-26 campuses;
2-27 (2) providing examples or models of local optional
2-28 teacher designation systems to reduce the time required for a
2-29 district or school to implement a teacher designation system;
2-30 (3) providing examples or models of local optional
2-31 teacher designation systems that implement a teacher designation
2-32 system for teachers of special populations, including special
2-33 education and bilingual education;
2-34 (4) establishing partnerships between districts and
2-35 schools that request assistance and districts and schools that have
2-36 implemented a teacher designation system;
2-37 (5) applying the performance and validity standards
2-38 established by the commissioner under Subsection (b);
2-39 (6) providing centralized support for the analysis of
2-40 the results of assessment instruments administered to district
2-41 students; and
2-42 (7) facilitating effective communication on and
2-43 promotion of local optional teacher designation systems.
2-44 SECTION 1.02. Subchapter H, Chapter 21, Education Code, is
2-45 amended by adding Sections 21.3522 and 21.3523 to read as follows:
2-46 Sec. 21.3522. LOCAL OPTIONAL TEACHER DESIGNATION SYSTEM
2-47 GRANT PROGRAM. (a) From funds appropriated or otherwise
2-48 available for the purpose, the agency shall establish and
2-49 administer a grant program to provide money and technical
2-50 assistance to:
2-51 (1) expand implementation of local optional teacher
2-52 designation systems under Section 21.3521; and
2-53 (2) increase the number of classroom teachers eligible
2-54 for a designation under that section.
2-55 (b) A grant awarded under this section must:
2-56 (1) meet the needs of individual school districts; and
2-57 (2) enable regional leadership capacity.
2-58 (c) The commissioner may adopt rules as necessary to
2-59 implement this section.
2-60 Sec. 21.3523. REVIEW AND AUTHORIZATION OF NATIONALLY BOARD
2-61 CERTIFIED TEACHER DESIGNATION. (a) The State Board for Educator
2-62 Certification may periodically review National Board
2-63 Certifications issued by the National Board for Professional
2-64 Teaching Standards to determine whether to reauthorize or revoke
2-65 authorization for the nationally board certified teacher
2-66 designation under Section 21.3521(c). If the board revokes
2-67 authorization, the board may at any time conduct a review under this
2-68 subsection to determine whether to reauthorize the nationally board
2-69 certified teacher designation.

3-1 (b) A review under Subsection (a) must evaluate whether the
3-2 components and assessments required for a National Board
3-3 Certification align and comply with state law, including whether:
3-4 (1) earning a National Board Certification would
3-5 interfere with the certificate holder's ability to provide:
3-6 (A) instruction in the essential knowledge and
3-7 skills without using common core state standards, as defined by
3-8 Section 28.002;
3-9 (B) phonics instruction in accordance with
3-10 Section 28.0062 and without using three-cueing, as prohibited by
3-11 Subsection (a-1) of that section; or
3-12 (C) instruction in accordance with:
3-13 (i) the instructional requirements and
3-14 prohibitions under Section 28.0022; or
3-15 (ii) any other applicable state law; and
3-16 (2) the components and assessments align with the
3-17 criteria adopted by the State Board of Education under Section
3-18 31.022 for the approval of instructional materials.
3-19 (c) Not later than December 31, 2026, the State Board for
3-20 Educator Certification shall conduct an initial review under
3-21 Subsection (a) of National Board Certifications issued by the
3-22 National Board for Professional Teaching Standards and reauthorize
3-23 or revoke the nationally board certified teacher designation under
3-24 Section 21.3521(c). If the board fails to reauthorize the
3-25 designation by that date, the authorization for the designation is
3-26 revoked. This subsection expires September 1, 2027.
3-27 SECTION 1.03. Subchapter I, Chapter 21, Education Code, is
3-28 amended by adding Section 21.417 to read as follows:
3-29 Sec. 21.417. RESOURCES, INCLUDING LIABILITY INSURANCE, FOR
3-30 CLASSROOM TEACHERS. (a) From funds appropriated or otherwise
3-31 available for the purpose, the agency shall contract with a third
3-32 party to provide the following services for a classroom teacher
3-33 employed under a probationary, continuing, or term contract:
3-34 (1) assistance in understanding the teacher's rights,
3-35 duties, and benefits; and
3-36 (2) liability insurance to protect a teacher against
3-37 liability to a third party based on conduct that the teacher
3-38 allegedly engaged in during the course of the teacher's duties.
3-39 (b) A school district may not interfere with a classroom
3-40 teacher's access to services provided under this section.
3-41 (c) A contract entered into by the agency to provide
3-42 services under Subsection (a) must prohibit the entity with which
3-43 the agency contracts from using funds received under the contract
3-44 to engage in:
3-45 (1) conduct that a state agency using appropriated
3-46 money is prohibited from engaging in under Chapter 556, Government
3-47 Code; and
3-48 (2) political activities or advocate for issues
3-49 regarding public schools, including for boards of trustees of
3-50 school districts or school districts.
3-51 (d) This section may not be interpreted to interfere with a
3-52 classroom teacher's or other school district employee's exercise of
3-53 a right protected by the First Amendment to the United States
3-54 Constitution.
3-55 SECTION 1.04. The heading to Section 22.001, Education
3-56 Code, is amended to read as follows:
3-57 Sec. 22.001. SALARY DEDUCTIONS FOR PROFESSIONAL OR OTHER
3-58 DUES.
3-59 SECTION 1.05. Sections 22.001(a) and (b), Education Code,
3-60 are amended to read as follows:
3-61 (a) A school district employee is entitled to have an amount
3-62 deducted from the employee's salary for membership fees or dues to a
3-63 professional organization or an entity providing services to
3-64 classroom teachers under Section 21.417. The employee must:
3-65 (1) file with the district a signed written request
3-66 identifying the organization or entity [~~and specifying the number~~
3-67 ~~of pay periods per year the deductions are to be made~~]; and
3-68 (2) inform the district of the total amount of the fees
3-69 and dues for each year or have the organization or entity notify the

4-1 district of the amount.

4-2 (b) The district shall deduct the total amount of the fees
4-3 or dues for a year in equal amounts per pay period [~~for the number of~~
4-4 ~~periods specified by the employee~~]. The district shall notify the
4-5 employee not later than the 45th day after the district receives a
4-6 request under Subsection (a) of the number of pay periods annually
4-7 from which the district will deduct the fees or dues. The
4-8 deductions shall be made until the employee requests in writing
4-9 that the deductions be discontinued.

4-10 SECTION 1.06. Section 48.112, Education Code, is amended by
4-11 amending Subsections (c), (d), and (i) and adding Subsection (g-1)
4-12 to read as follows:

4-13 (c) For each classroom teacher with a teacher designation
4-14 under Section 21.3521 employed by a school district, the school
4-15 district is entitled to an allotment equal to the following
4-16 applicable base amount increased by the high needs and rural factor
4-17 as determined under Subsection (d):

4-18 (1) \$12,000, or an increased amount not to exceed
4-19 \$36,000 [~~\$32,000~~] as determined under Subsection (d), for each
4-20 master teacher;

4-21 (2) \$9,000 [~~\$6,000~~], or an increased amount not to
4-22 exceed \$25,000 [~~\$18,000~~] as determined under Subsection (d), for
4-23 each exemplary teacher; [and]

4-24 (3) \$5,000 [~~\$3,000~~], or an increased amount not to
4-25 exceed \$15,000 [~~\$9,000~~] as determined under Subsection (d), for
4-26 each recognized teacher; and

4-27 (4) \$3,000, or an increased amount not to exceed
4-28 \$9,000 as determined under Subsection (d), for each:

4-29 (A) acknowledged teacher; or

4-30 (B) nationally board certified teacher.

4-31 (d) The high needs and rural factor is determined by
4-32 multiplying the following applicable amounts by the average of the
4-33 point value assigned to each student at a district campus under
4-34 Subsection (e):

4-35 (1) \$6,000 [~~\$5,000~~] for each master teacher;

4-36 (2) \$4,000 [~~\$3,000~~] for each exemplary teacher; [and]

4-37 (3) \$2,500 [~~\$1,500~~] for each recognized teacher; and

4-38 (4) \$1,500 for each:

4-39 (A) acknowledged teacher; or

4-40 (B) nationally board certified teacher.

4-41 (g-1) For a district that is designated as an enhanced
4-42 teacher incentive allotment system under Section 21.3521(d-1), the
4-43 commissioner shall increase the amount to which the district is
4-44 entitled under this section by multiplying that amount by 1.1.

4-45 (i) A district shall annually certify that:

4-46 (1) funds received under this section were used as
4-47 follows:

4-48 (A) at least 90 percent of each allotment
4-49 received under Subsection (c) was used for the compensation of
4-50 teachers employed at the campus at which the teacher for whom the
4-51 district received the allotment is employed; [and]

4-52 (B) for a district whose allotment was increased
4-53 under Subsection (g-1), the amount by which the allotment was
4-54 increased under that subsection was used to meet the criteria to
4-55 maintain a designation as an enhanced teacher incentive allotment
4-56 system under Section 21.3521(d-1); and

4-57 (C) any other funds received under this section
4-58 were used for costs associated with implementing Section 21.3521,
4-59 including efforts to support teachers in obtaining designations;
4-60 and

4-61 (2) the district prioritized high needs campuses in
4-62 the district in using funds received under this section.

4-63 SECTION 1.07. Subchapter D, Chapter 48, Education Code, is
4-64 amended by adding Section 48.158 to read as follows:

4-65 Sec. 48.158. TEACHER RETENTION ALLOTMENT. (a) In this
4-66 section, "classroom teacher" has the meaning assigned by Section
4-67 5.001, except that the term also includes:

4-68 (1) a person who is not required to hold a certificate
4-69 issued under Subchapter B, Chapter 21, who otherwise meets the

5-1 definition of a classroom teacher under Section 5.001; and
 5-2 (2) a person, including a person described by
 5-3 Subdivision (1), employed by an entity with which a school district
 5-4 has entered into a contract who otherwise meets the definition of a
 5-5 classroom teacher under Section 5.001.

5-6 (b) A school district is entitled to an annual allotment for
 5-7 each classroom teacher who is employed by or contracts with the
 5-8 district for which the allotment is provided as follows:

5-9 (1) if the district has 5,000 or fewer students
 5-10 enrolled for the school year:

5-11 (A) \$5,000 for each classroom teacher who has at
 5-12 least three but less than five years of teaching experience; and

5-13 (B) \$10,000 for each classroom teacher who has
 5-14 five or more years of teaching experience; and

5-15 (2) if the district has more than 5,000 students
 5-16 enrolled for the school year:

5-17 (A) \$2,500 for each classroom teacher who has at
 5-18 least three but less than five years of teaching experience; and

5-19 (B) \$5,500 for each classroom teacher who has
 5-20 five or more years of teaching experience.

5-21 (b-1) Instead of the allotment under Subsection (b)(2), a
 5-22 school district described by that subdivision is entitled to
 5-23 funding under Subsection (b)(1) if the school district received an
 5-24 allotment under Subsection (b)(1) in a previous school year.

5-25 (c) For the 2025-2026 school year, a school district shall
 5-26 use money received under Subsection (b) to:

5-27 (1) increase the salary provided to each classroom
 5-28 teacher for which the district is entitled to funding under
 5-29 Subsection (b) for that year over the salary the teacher received or
 5-30 would have received if the teacher was employed by or contracted
 5-31 with the district in the 2024-2025 school year by at least the
 5-32 amount received per classroom teacher under Subsection (b); or

5-33 (2) if the school district is applying to be
 5-34 designated as an enhanced teacher incentive allotment system,
 5-35 increase the salaries of classroom teachers for that year based on
 5-36 performance.

5-37 (d) Except as provided by Subsection (e), for the 2026-2027
 5-38 and each subsequent school year, a school district shall use money
 5-39 received under Subsection (b) to maintain the salary increases for
 5-40 classroom teachers provided under Subsection (c). Any additional
 5-41 funding generated for a school district under this section may only
 5-42 be used for the compensation of classroom teachers who are employed
 5-43 by or contract with the district and who have three or more years of
 5-44 experience.

5-45 (e) A school district that has been designated as an
 5-46 enhanced teacher incentive allotment system for the applicable
 5-47 school year may use money received under Subsection (b) to provide
 5-48 salaries to classroom teachers in accordance with the district's
 5-49 compensation plan.

5-50 (f) A school district that increases classroom teacher
 5-51 compensation in the 2025-2026 school year to comply with Subsection
 5-52 (c), as added by H.B. 2, 89th Legislature, Regular Session, 2025, is
 5-53 providing compensation for services rendered independently of an
 5-54 existing employment contract applicable to that school year and is
 5-55 not in violation of Section 53, Article III, Texas Constitution.
 5-56 This subsection expires September 1, 2027.

5-57 SECTION 1.08. Section 48.257, Education Code, is amended by
 5-58 adding Subsection (b-1) to read as follows:

5-59 (b-1) If for any school year a school district receives an
 5-60 adjustment under Subsection (b) and, after that adjustment, is no
 5-61 longer subject to Subsection (a), the district is entitled to
 5-62 additional state aid for that school year in an amount equal to the
 5-63 lesser of:

5-64 (1) the difference, if the difference is greater than
 5-65 zero, between:

5-66 (A) the amount to which the district is entitled
 5-67 under Subchapters B, C, and D less the district's distribution from
 5-68 the available school fund for that school year; and

5-69 (B) the district's tier one maintenance and

6-1 operations tax collections for that school year; or
 6-2 (2) the district's allotment under Section 48.158 for
 6-3 that school year.

6-4 SECTION 1.09. Sections 48.051(c), (c-1), (c-2), and (d),
 6-5 Education Code, are repealed.

6-6 SECTION 1.10. Not later than September 1, 2026, a school
 6-7 district or open-enrollment charter school shall redesignate a
 6-8 teacher who holds a recognized teacher designation under Section
 6-9 21.3521(c), Education Code, on the basis of the teacher's national
 6-10 board certification, before the effective date of this article, to
 6-11 reflect the teacher's nationally board certified designation under
 6-12 Section 21.3521(c), Education Code, as amended by this article. A
 6-13 redesignation under this section is effective beginning September
 6-14 1, 2026.

6-15 SECTION 1.11. (a) Except as provided by Subsections (b) and
 6-16 (c) of this section, this article takes effect immediately if this
 6-17 Act receives a vote of two-thirds of all the members elected to each
 6-18 house, as provided by Section 39, Article III, Texas Constitution.
 6-19 If this Act does not receive the vote necessary for immediate
 6-20 effect, this article takes effect September 1, 2025.

6-21 (b) Sections 48.158 and 48.257(b-1), Education Code, as
 6-22 added by this article, take effect September 1, 2025.

6-23 (c) Section 48.112, Education Code, as amended by this
 6-24 article, takes effect September 1, 2026.

6-25 ARTICLE 2. EDUCATOR PREPARATION AND TEACHER RIGHTS

6-26 SECTION 2.01. Section 12A.004(a), Education Code, is
 6-27 amended to read as follows:

6-28 (a) A local innovation plan may not provide for the
 6-29 exemption of a district designated as a district of innovation from
 6-30 the following provisions of this title:

6-31 (1) a state or federal requirement applicable to an
 6-32 open-enrollment charter school operating under Subchapter D,
 6-33 Chapter 12;

6-34 (2) Subchapters A, C, D, and E, Chapter 11, except that
 6-35 a district may be exempt from Sections 11.1511(b)(5) and (14) and
 6-36 Section 11.162;

6-37 (3) the employment of uncertified classroom teachers
 6-38 under Section 21.0032;

6-39 (4) parental notification requirements under Section
 6-40 21.057;

6-41 (5) state curriculum and graduation requirements
 6-42 adopted under Chapter 28; and

6-43 (6) ~~(4)~~ academic and financial accountability and
 6-44 sanctions under Chapters 39 and 39A.

6-45 SECTION 2.02. Section 19.007(g), Education Code, is amended
 6-46 to read as follows:

6-47 (g) In addition to other amounts received by the district
 6-48 under this section, the district is entitled to:

6-49 (1) state aid in the amount necessary to fund the
 6-50 salary increases required by Section 19.009(d-2); and

6-51 (2) the preparing and retaining educators through
 6-52 partnership program allotment under Section 48.157.

6-53 SECTION 2.03. Section 21.001, Education Code, is amended by
 6-54 adding Subdivision (3-b) to read as follows:

6-55 (3-b) "Teacher of record" means a person employed by a
 6-56 school district who teaches the majority of the instructional day
 6-57 in an academic instructional setting and is responsible for
 6-58 evaluating student achievement and assigning grades.

6-59 SECTION 2.04. Subchapter A, Chapter 21, Education Code, is
 6-60 amended by adding Sections 21.0032 and 21.0033 to read as follows:

6-61 Sec. 21.0032. EMPLOYMENT OF UNCERTIFIED CLASSROOM
 6-62 TEACHERS. (a) A school district may not employ as a teacher of
 6-63 record for a course in the foundation curriculum under Section
 6-64 28.002 a person who does not hold an appropriate certificate or
 6-65 permit required by the State Board for Educator Certification under
 6-66 Subchapter B.

6-67 (a-1) Notwithstanding Subsection (a), on the receipt and
 6-68 approval of a plan submitted by a school district to the
 6-69 commissioner that provides a reasonable timeline and strategy to

7-1 comply with that subsection before the beginning of the 2029-2030
 7-2 school year, the commissioner may allow the district to delay
 7-3 implementation of the requirement of that subsection. This
 7-4 subsection expires September 1, 2030.

7-5 (a-2) Notwithstanding Subsection (a) and Section 12A.004, a
 7-6 school district that has adopted a local innovation plan under
 7-7 Chapter 12A for the 2026-2027 school year that exempts the district
 7-8 from the applicable teacher certification requirements under
 7-9 Section 21.003 may employ as a teacher of record for a course other
 7-10 than a reading language arts or mathematics course in a grade level
 7-11 above grade five a person who does not hold an appropriate
 7-12 certificate or permit required by the State Board for Educator
 7-13 Certification under Subchapter B. This subsection expires
 7-14 September 1, 2027.

7-15 (b) This section does not preclude a school district from:
 7-16 (1) receiving a waiver under Section 7.056; or
 7-17 (2) issuing a school district teaching permit under
 7-18 Section 21.055.

7-19 Sec. 21.0033. TEACHER CERTIFICATION INCENTIVE. (a) From
 7-20 money appropriated or otherwise available for the purpose, the
 7-21 agency shall provide to each school district a one-time payment of
 7-22 \$1,000 for each classroom teacher employed by the district who:

7-23 (1) was hired for the 2022-2023 or 2023-2024 school
 7-24 year as a first-year teacher;

7-25 (2) was uncertified on January 1, 2025;

7-26 (3) earned a standard certificate under Subchapter B
 7-27 by the end of the 2026-2027 school year; and

7-28 (4) was continuously employed by the district since
 7-29 the school year described by Subdivision (1).

7-30 (b) This section expires September 1, 2028.

7-31 SECTION 2.05. Section 21.041, Education Code, is amended by
 7-32 adding Subsection (e) to read as follows:

7-33 (e) A rule proposed by the board under this section relating
 7-34 to educator preparation is not subject to Section 2001.0045,
 7-35 Government Code.

7-36 SECTION 2.06. Subchapter B, Chapter 21, Education Code, is
 7-37 amended by adding Section 21.0412 to read as follows:

7-38 Sec. 21.0412. TYPES OF TEACHING CERTIFICATES. (a) In
 7-39 proposing rules specifying the types of teaching certificates to be
 7-40 issued under this subchapter, the board shall provide for a
 7-41 candidate to be issued:

7-42 (1) a standard certificate if the candidate satisfies:

7-43 (A) all traditional teacher preparation
 7-44 requirements under Section 21.04421; or

7-45 (B) the applicable alternative teacher
 7-46 preparation requirements under Section 21.04423;

7-47 (2) an enhanced standard certificate if the candidate
 7-48 satisfies all requirements of the teacher residency preparation
 7-49 route established under Section 21.04422;

7-50 (3) an intern with preservice experience certificate,
 7-51 which expires one year after issuance unless modified by the board,
 7-52 if the candidate has yet to satisfy all requirements for
 7-53 certification for a preservice alternative teacher preparation
 7-54 route established under Section 21.04423(1) but has completed a
 7-55 sufficient number of preservice practice hours to serve as a
 7-56 teacher of record; and

7-57 (4) an intern certificate, which expires two years
 7-58 after issuance unless modified by the board, if the candidate has
 7-59 yet to satisfy all requirements for certification for an
 7-60 alternative teacher preparation route established under Section
 7-61 21.04423(2) but has met all board requirements to serve as a teacher
 7-62 of record.

7-63 (b) Rules proposed under Subsection (a)(2) may not require a
 7-64 candidate to pass a pedagogy examination unless the examination
 7-65 tests subject-specific content appropriate for the grade level and
 7-66 subject area for which the candidate seeks certification.

7-67 (c) A candidate for a certification described by Subsection
 7-68 (a) must meet all other requirements imposed under this subchapter
 7-69 or board rule applicable to the candidate's certification.

8-1 (d) This section does not prohibit the board from proposing
 8-2 rules that provide for certifications other than the certifications
 8-3 described by Subsection (a), including specialized certifications
 8-4 and other types and classes of certifications.

8-5 SECTION 2.07. Section 21.044, Education Code, is amended by
 8-6 adding Subsections (i) and (j) to read as follows:

8-7 (i) An educator preparation program participating in a
 8-8 Preparing and Retaining Educators through Partnership Preservice
 8-9 Program under Subchapter R shall:

8-10 (1) incorporate the applicable instructional
 8-11 materials and training developed under Section 21.067, as
 8-12 determined by the board;

8-13 (2) if applicable for the grade and subject area for
 8-14 which a teacher candidate enrolled in the educator preparation
 8-15 program is seeking certification, incorporate the literacy
 8-16 achievement academies and mathematics achievement academies
 8-17 established under Sections 21.4552 and 21.4553; and

8-18 (3) ensure that instruction and training described by
 8-19 Subdivisions (1) and (2) are delivered by a person with appropriate
 8-20 training who has successfully completed a certification related to
 8-21 that training offered by the agency.

8-22 (j) For purposes of Subsection (i)(2), the board by rule
 8-23 shall designate the components of a literacy achievement academy or
 8-24 mathematics achievement academy under Section 21.4552 or 21.4553,
 8-25 as applicable, that may be completed after receiving an intern with
 8-26 preservice experience certificate under Section 21.0412.

8-27 SECTION 2.08. Subchapter B, Chapter 21, Education Code, is
 8-28 amended by adding Sections 21.04421, 21.04422, and 21.04423 to read
 8-29 as follows:

8-30 Sec. 21.04421. TRADITIONAL TEACHER PREPARATION. (a) In
 8-31 proposing rules under this subchapter regarding training
 8-32 requirements for a candidate seeking certification through a
 8-33 traditional teacher preparation route in which a candidate may
 8-34 concurrently receive an undergraduate or master's degree and a
 8-35 certification to teach a subject area at a particular grade level,
 8-36 the board shall require the candidate to complete substantial
 8-37 preservice practice in a prekindergarten through grade 12
 8-38 classroom.

8-39 (b) The rules proposed under Subsection (a) must require
 8-40 training to be provided synchronously. The board may approve
 8-41 components of the training to be delivered asynchronously on
 8-42 application by an educator preparation program.

8-43 Sec. 21.04422. TEACHER RESIDENCY PREPARATION. (a) The
 8-44 board shall propose rules under this subchapter to create a teacher
 8-45 residency preparation route.

8-46 (b) In proposing rules for a teacher residency preparation
 8-47 route under this section, the board must require that the program:

8-48 (1) use research-based best practices for recruiting
 8-49 and admitting candidates into the program;

8-50 (2) integrate course work, classroom practice, formal
 8-51 observation, and feedback;

8-52 (3) require a candidate to receive preservice practice
 8-53 in a prekindergarten through grade 12 classroom for at least one
 8-54 full school year;

8-55 (4) use multiple assessments to measure a candidate's
 8-56 progress; and

8-57 (5) provide training synchronously, unless the
 8-58 educator preparation program applies to and receives approval from
 8-59 the board for an exception allowing the program to provide training
 8-60 asynchronously.

8-61 Sec. 21.04423. ALTERNATIVE TEACHER PREPARATION. In
 8-62 proposing rules under this subchapter regarding training
 8-63 requirements for a candidate who has previously earned a degree and
 8-64 is seeking certification through an alternative teacher
 8-65 preparation route, the board shall establish:

8-66 (1) a preservice alternative teacher preparation
 8-67 route that:

8-68 (A) requires the candidate to complete
 8-69 substantial preservice practice in a prekindergarten through grade

9-1 12 classroom, which may include time spent serving as a
 9-2 paraprofessional; and

9-3 (B) provides training synchronously, unless the
 9-4 educator preparation program applies to and receives approval from
 9-5 the board for an exception allowing the program to provide training
 9-6 asynchronously; and

9-7 (2) an alternative teacher preparation route that
 9-8 allows for flexibility in how a candidate may demonstrate
 9-9 proficiency for certification.

9-10 SECTION 2.09. Section 21.0443, Education Code, is amended
 9-11 to read as follows:

9-12 Sec. 21.0443. EDUCATOR PREPARATION PROGRAM APPROVAL AND
 9-13 RENEWAL. (a) The board shall propose rules to establish standards
 9-14 to govern the approval or renewal of approval of:

9-15 (1) educator preparation programs; [~~and~~]

9-16 (2) the teacher preparation routes established under
 9-17 Sections 21.04421, 21.04422, and 21.04423; and

9-18 (3) certification fields authorized to be offered by
 9-19 an educator preparation program.

9-20 (a-1) The board may review an educator preparation
 9-21 program's curriculum:

9-22 (1) before the approval or renewal of approval of the
 9-23 program; and

9-24 (2) at any time after the approval or renewal of the
 9-25 approval of the program to ensure the program remains eligible for
 9-26 approval by demonstrating that any changes to curriculum
 9-27 requirements proposed by the board since the most recent review
 9-28 have been incorporated into the curriculum.

9-29 (b) To be eligible for approval or renewal of approval, an
 9-30 educator preparation program must:

9-31 (1) incorporate proactive instructional planning
 9-32 techniques throughout coursework [~~course work~~] and across content
 9-33 areas using a framework that:

9-34 (A) provides flexibility in the ways:

9-35 (i) information is presented;

9-36 (ii) students respond or demonstrate
 9-37 knowledge and skills; and

9-38 (iii) students are engaged;

9-39 (B) reduces barriers in instruction;

9-40 (C) provides appropriate accommodations,
 9-41 supports, and challenges; and

9-42 (D) maintains high achievement expectations for
 9-43 all students, including students with disabilities and students of
 9-44 limited English proficiency;

9-45 (2) integrate inclusive practices for all students,
 9-46 including students with disabilities, and evidence-based
 9-47 instruction and intervention strategies throughout coursework
 9-48 [~~course work~~], clinical experience, and student teaching;

9-49 (3) ensure that the program complies in the same
 9-50 manner as if the program were a school district with:

9-51 (A) the prohibitions and requirements under
 9-52 Sections 28.0022(a)(1)-(4) regarding program instructional
 9-53 personnel and coursework;

9-54 (B) the prohibitions under Section 28.0022(c)
 9-55 regarding the acceptance of private funds; and

9-56 (C) the prohibitions under Section 28.0022(d)
 9-57 regarding the punishment of students;

9-58 (4) if applicable, meet the requirements of Section
 9-59 21.044(i);

9-60 (5) adequately prepare candidates for educator
 9-61 certification; and

9-62 (6) [~~(4)~~] meet the standards and requirements of the
 9-63 board.

9-64 (b-1) Nothing in Subsection (b)(3) may be construed as
 9-65 limiting instruction in the essential knowledge and skills adopted
 9-66 under Subchapter A, Chapter 28.

9-67 (b-2) Subsection (b)(3) applies only to coursework offered
 9-68 by an educator preparation program for purposes of preparing a
 9-69 candidate to meet educator preparation and certification

10-1 requirements. Subsection (b)(3) does not apply to other coursework
 10-2 offered by an entity providing an educator preparation program that
 10-3 is not included in the educator preparation program's requirements.

10-4 (c) The board shall require that each educator preparation
 10-5 program be reviewed for renewal of approval at least every five
 10-6 years. The board may require each educator preparation program to
 10-7 be reviewed for renewal of approval at least annually. The board
 10-8 shall adopt an evaluation process to be used in reviewing an
 10-9 educator preparation program for renewal of approval.

10-10 (d) In adopting the evaluation process under Subsection
 10-11 (c), the board shall consider including:

10-12 (1) quality indicators that reflect effective program
 10-13 practices; and

10-14 (2) measures that provide for the observation of
 10-15 program practices to ensure program quality.

10-16 SECTION 2.10. Subchapter B, Chapter 21, Education Code, is
 10-17 amended by adding Section 21.0456 to read as follows:

10-18 Sec. 21.0456. NOTICE OF ACTION AGAINST INSTITUTION OF
 10-19 HIGHER EDUCATION. The board shall notify the governing board and
 10-20 the president or other chief executive officer of an institution of
 10-21 higher education, as defined by Section 61.003, and the Texas
 10-22 Higher Education Coordinating Board if the board:

10-23 (1) sanctions the institution;

10-24 (2) changes the accreditation status of an educator
 10-25 preparation program at the institution; or

10-26 (3) approves or authorizes a new educator preparation
 10-27 program at the institution.

10-28 SECTION 2.11. Section 21.049, Education Code, is amended to
 10-29 read as follows:

10-30 Sec. 21.049. ALTERNATIVE EDUCATOR PREPARATION PROGRAMS
 10-31 [~~CERTIFICATION~~]. (a) To provide a continuing additional source of
 10-32 qualified educators, the board shall propose rules providing that
 10-33 [~~for~~] educator certification programs may be provided by an
 10-34 institution of higher education or another entity [~~as an~~
 10-35 ~~alternative to traditional educator preparation programs~~]. The
 10-36 rules may not provide that a person may be certified under this
 10-37 section only if there is a demonstrated shortage of educators in a
 10-38 school district or subject area.

10-39 (b) The board may not require a person employed as a teacher
 10-40 in an alternative education program under Section 37.008 or a
 10-41 juvenile justice alternative education program under Section
 10-42 37.011 for at least three years to complete an alternative educator
 10-43 preparation [~~certification~~] program adopted under this section
 10-44 before taking the appropriate certification examination.

10-45 SECTION 2.12. Sections 21.055(a), (b), and (c), Education
 10-46 Code, are amended to read as follows:

10-47 (a) As provided by this section, a school district may issue
 10-48 a school district teaching permit and employ as a teacher of record
 10-49 a person who does not hold a teaching certificate issued by the
 10-50 board on approval by the district's board of trustees.

10-51 (b) To be eligible for a school district teaching permit
 10-52 under this section, a person must:

10-53 (1) hold a baccalaureate degree; or

10-54 (2) have served at or been employed by the district as
 10-55 a paraprofessional for not less than 180 days during the preceding
 10-56 calendar year and be:

10-57 (A) currently enrolled in a postsecondary
 10-58 program that could lead to a baccalaureate degree; and

10-59 (B) on track to earn a baccalaureate degree and
 10-60 receive a probationary certificate not later than the third
 10-61 anniversary of the date the person receives a school district
 10-62 teaching permit under this section.

10-63 (c) Promptly after employing a person described by
 10-64 Subsection (b)(1) under this section, a school district shall send
 10-65 to the commissioner a written statement identifying the person, the
 10-66 person's qualifications as a teacher, and the subject or class the
 10-67 person will teach. The person may teach the subject or class
 10-68 pending action by the commissioner.

10-69 SECTION 2.13. Section 21.057, Education Code, is amended by

11-1 adding Subsection (f) to read as follows:

11-2 (f) If the agency has developed a model notice for purposes
 11-3 of this section, the superintendent must use that model to provide
 11-4 the notice required under this section.

11-5 SECTION 2.14. Subchapter B, Chapter 21, Education Code, is
 11-6 amended by adding Section 21.067 to read as follows:

11-7 Sec. 21.067. EDUCATOR PREPARATION MATERIALS AND TRAINING.

11-8 (a) The commissioner shall develop and make available:

11-9 (1) instructional materials for use in educator
 11-10 preparation programs under this subchapter; and

11-11 (2) training for faculty responsible for preparing
 11-12 educator candidates.

11-13 (b) The materials and training developed under Subsection
 11-14 (a) must:

11-15 (1) be research-based;

11-16 (2) support the development of proficiency in the
 11-17 knowledge and skills specified by rules proposed under Section
 11-18 21.044(a)(1); and

11-19 (3) allow for an educator candidate to demonstrate the
 11-20 candidate's proficiency, including proficiency in the knowledge
 11-21 and skills described by Subdivision (2).

11-22 SECTION 2.15. Section 21.402, Education Code, is amended by
 11-23 adding Subsections (f-1), (f-2), (f-3), and (f-4) to read as
 11-24 follows:

11-25 (f-1) A school district must pay to a classroom teacher with
 11-26 zero years of experience who holds a certificate under Section
 11-27 21.0412(a)(1), (2), or (3) a minimum salary that is greater than the
 11-28 minimum salary paid to a classroom teacher with zero years of
 11-29 experience who does not hold a certificate under Section
 11-30 21.0412(a)(1), (2), or (3).

11-31 (f-2) The board of trustees of a school district may adopt
 11-32 minimum salaries to satisfy the requirements of Subsection (f-1) as
 11-33 follows:

11-34 (1) for a classroom teacher who holds a standard
 11-35 certificate or intern with preservice experience certificate under
 11-36 Section 21.0412(a)(1) or (3), \$3,000; and

11-37 (2) for a classroom teacher who holds an enhanced
 11-38 standard certificate under Section 21.0412(a)(2), \$6,000.

11-39 (f-3) Subsection (f-1) does not apply to a stipend or other
 11-40 form of compensation not included in a classroom teacher's minimum
 11-41 salary under this section.

11-42 (f-4) A school district may not adopt a salary schedule that
 11-43 differentiates classroom teacher salaries based solely on a
 11-44 teacher's certification pathway for teachers who have five or more
 11-45 years of teaching experience.

11-46 SECTION 2.16. Section 21.4552(f), Education Code, is
 11-47 amended to read as follows:

11-48 (f) From money appropriated or otherwise available for the
 11-49 purpose, including an allotment under Section 48.108, a school
 11-50 district shall provide to an educator preparation program for each
 11-51 teacher enrolled in the educator preparation program who holds an
 11-52 intern with preservice experience certificate under Section
 11-53 21.0412(a)(3) and completes a literacy achievement academy under
 11-54 this section while employed by the district a one-time payment of
 11-55 \$1,000 or another amount set by the agency [~~This section expires~~
 11-56 September 1, 2027].

11-57 SECTION 2.17. Section 21.4553(f), Education Code, is
 11-58 amended to read as follows:

11-59 (f) From money appropriated or otherwise available for the
 11-60 purpose, including an allotment under Section 48.108, a school
 11-61 district shall provide to an educator preparation program for each
 11-62 teacher enrolled in the educator preparation program who holds an
 11-63 intern with preservice experience certificate under Section
 11-64 21.0412(a)(3) and completes a mathematics achievement academy
 11-65 under this section while employed by the district a one-time
 11-66 payment of \$500 or another amount set by the agency [~~This section~~
 11-67 expires September 1, 2027].

11-68 SECTION 2.18. Chapter 21, Education Code, is amended by
 11-69 adding Subchapter R to read as follows:

SUBCHAPTER R. PREPARING AND RETAINING EDUCATORS THROUGH PARTNERSHIP PROGRAMS

Sec. 21.901. DEFINITIONS. In this subchapter:

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

(2) "Board" means the State Board for Educator Certification.

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

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

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

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

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

(5) "Mentor teacher" means a mentor teacher as described by Section 21.458.

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

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

(8) "Teacher candidate" means a person enrolled in an educator preparation program participating in a partnership preservice program.

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

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

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

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

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

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

(1) enter into a written agreement with an approved educator preparation program to:

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

(B) pair the teacher candidate with a cooperating teacher who has successfully completed a training program for cooperating teachers that, if required by the agency, must be

13-1 established or adopted by the agency;
13-2 (2) use money received under Section 48.157 only to
13-3 implement the partnership preservice program;
13-4 (3) ensure that a teacher candidate is mentored by a
13-5 mentor teacher who has completed mentorship training under Section
13-6 21.907 for the candidate's first two years as a teacher of record
13-7 after completing a partnership preservice program; and
13-8 (4) provide any information required by the agency
13-9 regarding the district's or school's implementation of a
13-10 partnership preservice program.
13-11 (d) A school district or open-enrollment charter school may
13-12 only pair a teacher candidate with a cooperating teacher who agrees
13-13 to participate in that role in a partnership preservice program at
13-14 the district or school.
13-15 (e) A teacher candidate participating in a partnership
13-16 preservice program may not serve:
13-17 (1) as a teacher of record; or
13-18 (2) except as provided by Subsection (f), in a
13-19 position in which the student or employee has the primary or sole
13-20 responsibility of providing instruction or supervision to
13-21 students.
13-22 (f) A teacher candidate participating in a partnership
13-23 preservice program may serve in a position described by Subsection
13-24 (e)(2) for the limited purpose of gaining experience in the
13-25 position. The teacher candidate's amount of time serving in that
13-26 position may not exceed the amount of time during which the teacher
13-27 of record for the students has the primary or sole responsibility of
13-28 providing instruction or supervision to those students.
13-29 (g) To be qualified to participate in a partnership
13-30 preservice program, an educator preparation program must meet the
13-31 requirements under Section 21.044(i).
13-32 Sec. 21.903. PREPARING AND RETAINING EDUCATORS THROUGH
13-33 PARTNERSHIP TRADITIONAL PRESERVICE PROGRAM. (a) The commissioner
13-34 shall establish the Preparing and Retaining Educators through
13-35 Partnership Traditional Preservice Program as a partnership
13-36 preservice program to enable qualified educator preparation
13-37 programs, as determined by the commissioner, that meet the
13-38 traditional teacher preparation requirements under Section
13-39 21.04421 to form partnerships with school districts or
13-40 open-enrollment charter schools to help prepare candidates for a
13-41 standard certificate.
13-42 (b) The program must be designed to:
13-43 (1) meet the requirements of a partnership preservice
13-44 program under Section 21.902; and
13-45 (2) allow a teacher candidate to satisfy the
13-46 traditional teacher preparation requirements under Section
13-47 21.04421.
13-48 (c) A school district or open-enrollment charter school
13-49 participating in the traditional partnership preservice program
13-50 shall use money received under Section 48.157(b)(1) to provide
13-51 compensation to:
13-52 (1) teacher candidates for preservice practice hours
13-53 at the district or school in an amount of at least \$3,000 for
13-54 salary; and
13-55 (2) cooperating teachers who are paired with teacher
13-56 candidates at the district or school in an amount of at least
13-57 \$1,000.
13-58 (d) In addition to the amount provided by Subsection (c)(1),
13-59 a school district or open-enrollment charter school shall provide
13-60 compensation to teacher candidates in any amount above the amount
13-61 provided by that subdivision for salary using money received under
13-62 Section 48.157 or from any other available source.
13-63 Sec. 21.904. PREPARING AND RETAINING EDUCATORS THROUGH
13-64 PARTNERSHIP RESIDENCY PRESERVICE PROGRAM. (a) The commissioner
13-65 shall establish the Preparing and Retaining Educators through
13-66 Partnership Residency Preservice Program as a partnership
13-67 preservice program to enable qualified educator preparation
13-68 programs, as determined by the commissioner, that meet the teacher
13-69 residency preparation requirements under Section 21.04422 to form

14-1 partnerships with school districts or open-enrollment charter
 14-2 schools to help prepare candidates for an enhanced standard
 14-3 certificate.

14-4 (b) The program must be designed to:

14-5 (1) meet the requirements of a partnership preservice
 14-6 program under Section 21.902; and

14-7 (2) allow a teacher candidate to satisfy the teacher
 14-8 residency preparation requirements under Section 21.04422.

14-9 (c) A school district or open-enrollment charter school
 14-10 participating in the residency partnership preservice program
 14-11 shall use money received under Section 48.157(b)(2) to provide
 14-12 compensation to:

14-13 (1) teacher candidates for preservice practice hours
 14-14 at the district or school in an amount of at least \$10,000 for
 14-15 salary; and

14-16 (2) cooperating teachers who are paired with teacher
 14-17 candidates at the district or school in an amount of at least
 14-18 \$2,000.

14-19 (d) In addition to the amount provided by Subsection (c)(1),
 14-20 a school district or open-enrollment charter school shall provide
 14-21 compensation to teacher candidates in an amount of at least \$10,000
 14-22 for salary using money received under Section 48.157 or from any
 14-23 other available source.

14-24 (e) An educator preparation program is not required to
 14-25 incorporate the instruction described by Section 21.044(i) to be
 14-26 eligible to participate in a residency partnership preservice
 14-27 program until the date on which rules proposed by the State Board
 14-28 for Educator Certification to implement that subsection take
 14-29 effect. This subsection expires September 1, 2028.

14-30 Sec. 21.905. PREPARING AND RETAINING EDUCATORS THROUGH
 14-31 PARTNERSHIP ALTERNATIVE PRESERVICE PROGRAM. (a) The commissioner
 14-32 shall establish the Preparing and Retaining Educators through
 14-33 Partnership Alternative Preservice Program as a partnership
 14-34 preservice program to enable qualified educator preparation
 14-35 programs, as determined by the commissioner, that meet the
 14-36 preservice alternative teacher preparation requirements under
 14-37 Section 21.04423 to form partnerships with school districts or
 14-38 open-enrollment charter schools to help prepare candidates for an
 14-39 intern with preservice experience certificate or standard
 14-40 certificate.

14-41 (b) The program must be designed to:

14-42 (1) meet the requirements of a partnership preservice
 14-43 program under Section 21.902; and

14-44 (2) allow a teacher candidate to satisfy the
 14-45 preservice alternative teacher preparation requirements under
 14-46 Section 21.04423(1).

14-47 (c) A school district or open-enrollment charter school
 14-48 participating in the alternative partnership preservice program
 14-49 shall use money received under Section 48.157(b)(3) to provide
 14-50 compensation to:

14-51 (1) teacher candidates for preservice practice hours
 14-52 at the district or school in an amount of at least \$3,000 for
 14-53 salary; and

14-54 (2) cooperating teachers who are paired with teacher
 14-55 candidates at the district or school in an amount of at least
 14-56 \$1,000.

14-57 (d) In addition to the amount provided by Subsection (c)(1),
 14-58 a school district or open-enrollment charter school shall provide
 14-59 compensation to teacher candidates in any amount above the amount
 14-60 provided by that subdivision for salary using money received under
 14-61 Section 48.157 or from any other available source.

14-62 Sec. 21.906. PREPARING AND RETAINING EDUCATORS THROUGH
 14-63 PARTNERSHIP GROW YOUR OWN PARTNERSHIP PROGRAM. (a) The
 14-64 commissioner shall establish the Preparing and Retaining Educators
 14-65 through Partnership Grow Your Own Partnership Program to enable
 14-66 qualified institutions of higher education and educator
 14-67 preparation programs, as determined by the commissioner, to form
 14-68 partnerships with school districts or open-enrollment charter
 14-69 schools to establish innovative staffing pipelines to ensure the

15-1 availability of high-quality classroom teachers to benefit future
 15-2 district or school students.

15-3 (b) The grow your own partnership program must be designed
 15-4 to form partnerships that support:

15-5 (1) high school students in completing career and
 15-6 technical education courses that help prepare the students to
 15-7 become classroom teachers; or

15-8 (2) district or school employees who do not hold a
 15-9 teaching certificate in completing a bachelor's degree to enable
 15-10 the person to become a classroom teacher while employed by the
 15-11 district or school.

15-12 (c) A school district or open-enrollment charter school may
 15-13 participate in a grow your own partnership program only if the
 15-14 district or school has been approved to participate in a
 15-15 partnership preservice program.

15-16 (d) A school district or open-enrollment charter school
 15-17 participating in the grow your own partnership program shall:

15-18 (1) for a partnership described by Subsection (b)(1),
 15-19 provide:

15-20 (A) authentic opportunities, which may be paid or
 15-21 unpaid, for students to practice teaching under the supervision of
 15-22 one or more cooperating teachers; and

15-23 (B) guidance and other transition supports as a
 15-24 student begins an undergraduate degree program that offers a route
 15-25 to teacher preparation;

15-26 (2) for a partnership described by Subsection (b)(2),
 15-27 provide for a district or school employee:

15-28 (A) scheduled release time to support the
 15-29 completion of a bachelor's degree;

15-30 (B) authentic opportunities to practice teaching
 15-31 under the supervision of one or more cooperating teachers;

15-32 (C) on-the-job training aligned with the
 15-33 standards for educator certification established by the board;

15-34 (D) a job assignment that includes instructional
 15-35 support for students enrolled in the district or school; and

15-36 (E) guidance and other transition supports as the
 15-37 employee begins a program to satisfy the teacher preparation
 15-38 requirements under Section 21.04421, 21.04422, or 21.04423;

15-39 (3) enter into a written agreement with an institution
 15-40 of higher education or educator preparation program;

15-41 (4) require an employee participating in a partnership
 15-42 described by Subsection (b)(2) to, as a condition for
 15-43 participation, earn a bachelor's degree and enroll in an educator
 15-44 preparation program within three years of beginning participation
 15-45 in the partnership; and

15-46 (5) provide any information required by the agency
 15-47 regarding the district's or school's implementation of the grow
 15-48 your own partnership program.

15-49 (e) A school district or open-enrollment charter school may
 15-50 use money received under Section 48.157 to implement the grow your
 15-51 own partnership program and pay tuition and fees for students or
 15-52 employees participating in the program.

15-53 (f) A school district or open-enrollment charter school may
 15-54 only pair a student or employee participating in the program with a
 15-55 cooperating teacher who agrees to participate in that role in a grow
 15-56 your own partnership program at the district or school.

15-57 (g) A student or employee participating in the program may
 15-58 not serve:

15-59 (1) as a teacher of record; or

15-60 (2) except as provided by Subsection (h), in a
 15-61 position in which the student or employee has the primary or sole
 15-62 responsibility of providing instruction or supervision to
 15-63 students.

15-64 (h) A student or employee participating in the program may
 15-65 serve in a position described by Subsection (g)(2) for the limited
 15-66 purpose of gaining experience in the position. The student's or
 15-67 employee's amount of time serving in that position may not exceed
 15-68 the amount of time during which the teacher of record for the
 15-69 students has the primary or sole responsibility of providing

16-1 instruction or supervision to those students.

16-2 Sec. 21.907. PREPARING AND RETAINING EDUCATORS THROUGH
 16-3 PARTNERSHIP MENTORSHIP PROGRAM. (a) The commissioner shall
 16-4 establish a preparing and retaining educators through partnership
 16-5 mentorship program through which participating school districts or
 16-6 open-enrollment charter schools implement a mentoring program that
 16-7 meets the requirements of Section 21.458 for classroom teachers who
 16-8 have less than two years of teaching experience.

16-9 (b) A school district or open-enrollment charter school
 16-10 participating in the program must require a classroom teacher who
 16-11 serves as a mentor teacher to annually complete a training program
 16-12 for mentor teachers established or adopted by the agency.

16-13 (c) A school district or open-enrollment charter school
 16-14 shall use money received under Section 48.157(b)(5) to provide
 16-15 stipends for mentor teachers in an amount of at least \$1,000.

16-16 (d) If any money remains after providing a stipend to mentor
 16-17 teachers in accordance with Subsection (c), the district may use
 16-18 that money to provide:

16-19 (1) scheduled release time for mentor teachers and
 16-20 classroom teachers being mentored to meet and engage in mentoring
 16-21 activities; and

16-22 (2) support for mentor teachers through mentor
 16-23 training and strategic staffing training.

16-24 Sec. 21.908. AGENCY SUPPORT. The agency shall provide
 16-25 technical assistance, planning, and support to school districts,
 16-26 open-enrollment charter schools, and educator preparation
 16-27 programs, which must include:

16-28 (1) providing model forms and agreements a district,
 16-29 school, or educator preparation program may use to comply with the
 16-30 requirements of this subchapter;

16-31 (2) support for district and school strategic staffing
 16-32 and compensation models to incentivize participation in a
 16-33 partnership program under this subchapter;

16-34 (3) support for district, school, and educator
 16-35 preparation program partners in implementing strong partnership
 16-36 practices, including through participation in the grow your own
 16-37 partnership program, and providing high-quality mentorship as
 16-38 required under this subchapter; and

16-39 (4) support for educator preparation programs in
 16-40 implementing the partnership programs under this subchapter.

16-41 Sec. 21.909. PROGRAM STANDARDS AND PERFORMANCE GOALS. (a)
 16-42 The commissioner shall adopt rules establishing:

16-43 (1) standards for partnership programs established
 16-44 under this subchapter, including eligibility criteria for educator
 16-45 preparation programs and institutions of higher education to
 16-46 participate in the partnership programs; and

16-47 (2) performance goals for partnership programs
 16-48 established under this subchapter.

16-49 (b) The commissioner shall periodically review the
 16-50 performance of each partnership program established under this
 16-51 subchapter to ensure the program meets the standards and
 16-52 performance goals established under Subsection (a).

16-53 (c) If, in reviewing a partnership program under Subsection
 16-54 (b), the commissioner determines that the program has failed to
 16-55 meet a performance goal established under Subsection (a), the
 16-56 commissioner shall prohibit the entity that failed to meet the
 16-57 performance goal from participating in a partnership program under
 16-58 this subchapter for a period not to exceed five years.

16-59 Sec. 21.910. AUTHORITY TO ACCEPT CERTAIN MONEY. The
 16-60 commissioner may solicit and accept gifts, grants, and donations
 16-61 from public and private entities to use for the purposes of this
 16-62 subchapter.

16-63 Sec. 21.911. RULES. The commissioner shall adopt rules as
 16-64 necessary to implement this subchapter.

16-65 SECTION 2.19. Subchapter D, Chapter 48, Education Code, is
 16-66 amended by adding Section 48.157 to read as follows:

16-67 Sec. 48.157. PREPARING AND RETAINING EDUCATORS THROUGH
 16-68 PARTNERSHIP PROGRAM ALLOTMENT. (a) In this section, "teacher
 16-69 candidate" has the meaning assigned by Section 21.901.

17-1 (b) Subject to Subsections (f) and (g), a school district is
 17-2 entitled to an annual allotment equal to each of the following
 17-3 applicable amounts:

17-4 (1) for each teacher candidate completing preservice
 17-5 practice hours at the district under Section 21.903, the sum of:

17-6 (A) \$10,000; and
 17-7 (B) the high needs and rural factor, as
 17-8 determined under Subsection (c), multiplied by \$2,000;

17-9 (2) for each teacher candidate completing preservice
 17-10 practice hours at the district under Section 21.904, the sum of:

17-11 (A) \$24,000; and
 17-12 (B) the high needs and rural factor, as
 17-13 determined under Subsection (c), multiplied by \$3,000;

17-14 (3) for each teacher candidate completing preservice
 17-15 practice hours at the district under Section 21.905, the sum of:

17-16 (A) \$10,000; and
 17-17 (B) the high needs and rural factor, as
 17-18 determined under Subsection (c), multiplied by \$2,000;

17-19 (4) for each district employee participating in a
 17-20 partnership described by Section 21.906(b)(2), the sum of:

17-21 (A) \$8,000; and
 17-22 (B) the high needs and rural factor, as
 17-23 determined under Subsection (c), multiplied by \$1,000; and

17-24 (5) for each classroom teacher being mentored under
 17-25 the preparing and retaining educators through partnership
 17-26 mentorship program established under Section 21.907, \$3,000.

17-27 (c) The high needs and rural factor is the lesser of:

17-28 (1) the average of the point value assigned to each
 17-29 student at a district campus under Sections 48.112(e) and (f); or

17-30 (2) 4.0.

17-31 (d) In addition to the funding under Subsection (b), a
 17-32 district is entitled to an additional \$2,000 for each teacher
 17-33 candidate described by Subsection (b)(1), (2), or (3) who is a
 17-34 candidate for certification in bilingual education or special
 17-35 education.

17-36 (e) The Texas School for the Deaf and the Texas School for
 17-37 the Blind and Visually Impaired are entitled to an allotment under
 17-38 this section. If the commissioner determines that assigning point
 17-39 values under Subsection (c) to students enrolled in the Texas
 17-40 School for the Deaf or the Texas School for the Blind and Visually
 17-41 Impaired is impractical, the commissioner may use the average point
 17-42 value assigned for those students' home districts for purposes of
 17-43 calculating the high needs and rural factor.

17-44 (f) Unless a greater number of individuals is provided for
 17-45 by appropriation for that school year, a school district may
 17-46 receive an allotment for a school year for not more than:

17-47 (1) except as provided by Subsection (g), 40
 17-48 individuals under each of Subsections (b)(2), (4), and (5); and

17-49 (2) a total of 80 individuals under Subsections (b)(1)
 17-50 and (3).

17-51 (g) If more than 40 individuals are eligible to receive an
 17-52 allotment under Subsection (b)(2) for a school district, the
 17-53 district is entitled to an allotment under Subsection (b)(1) for
 17-54 those individuals, subject to the limitation under Subsection
 17-55 (f)(2).

17-56 (h) For purposes of offsetting tuition, fees, and
 17-57 administrative costs, using money to which a school district is
 17-58 otherwise entitled under Subsection (b), the commissioner shall
 17-59 provide to a teacher candidate's educator preparation program each
 17-60 of the following applicable amounts and reduce the district's
 17-61 allotment under that subsection accordingly:

17-62 (1) \$5,000 for each teacher candidate who completed a
 17-63 partnership preservice program under Section 21.903 who obtains a
 17-64 standard certificate and has completed one year of employment with
 17-65 the district;

17-66 (2) \$10,000 for each teacher candidate who completed a
 17-67 partnership preservice program under Section 21.904 who obtains an
 17-68 enhanced standard certificate and has completed one year of
 17-69 employment with the district; and

18-1 (3) \$2,500 for each teacher candidate participating in
 18-2 the alternative partnership preservice program under Section
 18-3 21.905 who holds an intern with preservice experience certificate,
 18-4 and an additional \$2,500 for each teacher candidate who completes
 18-5 the alternative partnership preservice program and obtains a
 18-6 standard certificate under Section 21.0412.

18-7 (i) An institution of higher education that operates an
 18-8 educator preparation program that receives money under Subsection
 18-9 (h) must spend not less than 85 percent of the money received on the
 18-10 educator preparation program for which the money was received.

18-11 (j) The agency shall only provide:

18-12 (1) an initial payment of \$4,000 of the money the
 18-13 school district is entitled to receive under Subsection (b)(1) for
 18-14 a teacher candidate until the teacher candidate successfully
 18-15 completes the requirements of a partnership preservice program
 18-16 under Section 21.903 by the deadline established by the agency;

18-17 (2) an initial payment of \$12,000 of the money the
 18-18 school district is entitled to receive under Subsection (b)(2) for
 18-19 a teacher candidate until the teacher candidate successfully
 18-20 completes the requirements of a partnership preservice program
 18-21 under Section 21.904 by the deadline established by the agency;

18-22 (3) an initial payment of \$4,000 of the money the
 18-23 school district is entitled to receive under Subsection (b)(3) for
 18-24 a teacher candidate until the teacher candidate successfully
 18-25 completes the requirements of an alternative partnership
 18-26 preservice program under Section 21.905 by the deadline established
 18-27 by the agency and issuance of an intern with preservice experience
 18-28 certificate; and

18-29 (4) 50 percent of the money the school district is
 18-30 entitled to receive under Subsection (b)(4) for a district employee
 18-31 on the employee's successful completion of a bachelor's degree by
 18-32 the deadline established by the agency.

18-33 SECTION 2.20. Subchapter G, Chapter 48, Education Code, is
 18-34 amended by adding Section 48.310 to read as follows:

18-35 Sec. 48.310. ALLOTMENT FOR COMPLETION OF TEACHER LITERACY
 18-36 OR MATHEMATICS ACHIEVEMENT ACADEMIES. An educator preparation
 18-37 program participating in a Preparing and Retaining Educators
 18-38 through Partnership Preservice Program under Section 21.902,
 18-39 21.903, 21.904, or 21.905 is entitled to an annual allotment for
 18-40 each teacher candidate who completes a literacy achievement academy
 18-41 or mathematics achievement academy under Section 21.4552 or 21.4553
 18-42 approved by the agency for the purpose in the amount of:

18-43 (1) \$1,000, or a greater amount set by appropriation
 18-44 for that school year, for the completion of a literacy achievement
 18-45 academy; or

18-46 (2) \$500, or a greater amount set by appropriation for
 18-47 that school year, for the completion of a mathematics achievement
 18-48 academy.

18-49 SECTION 2.21. (a) The following provisions of the
 18-50 Education Code are repealed:

- 18-51 (1) Section 21.051(a);
- 18-52 (2) Subchapter Q, Chapter 21; and
- 18-53 (3) Section 48.114.

18-54 (b) Section 825.4092(f), Government Code, is repealed.

18-55 SECTION 2.22. Section 12A.004(a), Education Code, as
 18-56 amended by this article, applies to each local innovation plan
 18-57 adopted under Chapter 12A, Education Code, regardless of whether
 18-58 the plan was adopted before, on, or after the effective date of this
 18-59 article. A local innovation plan adopted or renewed before the
 18-60 effective date of this article must comply with Section 12A.004(a),
 18-61 Education Code, as amended by this article, not later than
 18-62 September 1, 2026.

18-63 SECTION 2.23. (a) Except as otherwise provided by
 18-64 Subsection (b) of this section, this article applies beginning with
 18-65 the 2025-2026 school year.

18-66 (b) Section 21.0032, Education Code, as added by this
 18-67 article, and Section 21.402, Education Code, as amended by this
 18-68 article, apply beginning with the 2026-2027 school year.

18-69 SECTION 2.24. (a) Sections 48.157 and 48.310, Education

Code, as added by this article, take effect September 1, 2025.

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

ARTICLE 3. RIGHTS OF PUBLIC SCHOOL EDUCATORS

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

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

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

(A) a bulletin board at:

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

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

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

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

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

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

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

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

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

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

Sec. 21.0411. WAIVER OR PAYMENT OF CERTAIN EXAMINATION AND CERTIFICATION FEES. (a) Notwithstanding a rule adopted under Section 21.041(c), the board shall, for a person applying for a certification in special education, bilingual education, or another area specified by the General Appropriations Act, waive:

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

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

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

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

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

(2) during a retake of the test described by

20-1 Subdivision (1), demonstrate the person's language proficiency
 20-2 through the completion of fewer components, including eliminating a
 20-3 component that requires the preparation of a lesson plan for a
 20-4 person who fails to perform satisfactorily on a domain requiring
 20-5 completion of that component.

20-6 SECTION 3.03. Section 21.105, Education Code, is amended by
 20-7 amending Subsection (c) and adding Subsection (g) to read as
 20-8 follows:

20-9 (c) Subject to Subsections (e), ~~and~~ (f), and (g), on
 20-10 written complaint by the employing district, the State Board for
 20-11 Educator Certification may impose sanctions against a teacher
 20-12 employed under a probationary contract who:

- 20-13 (1) resigns;
- 20-14 (2) fails without good cause to comply with Subsection
- 20-15 (a) or (b); and
- 20-16 (3) fails to perform the contract.

20-17 (g) The State Board for Educator Certification may not
 20-18 impose a sanction under Subsection (c) against a teacher who
 20-19 relinquishes a position under a probationary contract and leaves
 20-20 the employment of the district after the 45th day before the first
 20-21 day of instruction for the upcoming school year in violation of
 20-22 Subsection (a) and without the consent of the board of trustees
 20-23 under Subsection (b) if the teacher's failure to comply with
 20-24 Subsection (a) was due to:

- 20-25 (1) a serious illness or health condition of the
- 20-26 teacher or a close family member of the teacher;
- 20-27 (2) the teacher's relocation because the teacher's
- 20-28 spouse or a partner who resides with the teacher changes employers
- 20-29 or location of employment;
- 20-30 (3) a significant change in the needs of the teacher's
- 20-31 family in a manner that requires the teacher to:

- 20-32 (A) relocate; or
- 20-33 (B) forgo employment during a period of required
- 20-34 employment under the teacher's contract; or
- 20-35 (4) the teacher's reasonable belief that the teacher
- 20-36 had written permission from the school district's administration to
- 20-37 resign.

20-38 SECTION 3.04. Section 21.160, Education Code, is amended by
 20-39 amending Subsection (c) and adding Subsection (g) to read as
 20-40 follows:

20-41 (c) Subject to Subsections (e), ~~and~~ (f), and (g), on
 20-42 written complaint by the employing district, the State Board for
 20-43 Educator Certification may impose sanctions against a teacher who
 20-44 is employed under a continuing contract that obligates the district
 20-45 to employ the person for the following school year and who:

- 20-46 (1) resigns;
- 20-47 (2) fails without good cause to comply with Subsection
- 20-48 (a) or (b); and
- 20-49 (3) fails to perform the contract.

20-50 (g) The State Board for Educator Certification may not
 20-51 impose a sanction under Subsection (c) against a teacher who
 20-52 relinquishes a position under a continuing contract and leaves the
 20-53 employment of the district after the 45th day before the first day
 20-54 of instruction of the upcoming school year in violation of
 20-55 Subsection (a) and without the consent of the board of trustees
 20-56 under Subsection (b) if the teacher's failure to comply with
 20-57 Subsection (a) was due to:

- 20-58 (1) a serious illness or health condition of the
- 20-59 teacher or a close family member of the teacher;
- 20-60 (2) the teacher's relocation because the teacher's
- 20-61 spouse or a partner who resides with the teacher changes employers
- 20-62 or location of employment;
- 20-63 (3) a significant change in the needs of the teacher's
- 20-64 family in a manner that requires the teacher to:

- 20-65 (A) relocate; or
- 20-66 (B) forgo employment during a period of required
- 20-67 employment under the teacher's contract; or
- 20-68 (4) the teacher's reasonable belief that the teacher
- 20-69 had written permission from the school district's administration to

21-1 resign.

21-2 SECTION 3.05. Section 21.210, Education Code, is amended by
21-3 amending Subsection (c) and adding Subsection (g) to read as
21-4 follows:

21-5 (c) Subject to Subsections (e), ~~[and]~~ (f), and (g), on
21-6 written complaint by the employing district, the State Board for
21-7 Educator Certification may impose sanctions against a teacher who
21-8 is employed under a term contract that obligates the district to
21-9 employ the person for the following school year and who:

- 21-10 (1) resigns;
21-11 (2) fails without good cause to comply with Subsection
21-12 (a) or (b); and
21-13 (3) fails to perform the contract.

21-14 (g) The State Board for Educator Certification may not
21-15 impose a sanction under Subsection (c) against a teacher who
21-16 relinquishes a position under a term contract and leaves the
21-17 employment of the district after the 45th day before the first day
21-18 of instruction of the upcoming school year in violation of
21-19 Subsection (a) and without the consent of the board of trustees
21-20 under Subsection (b) if the teacher's failure to comply with
21-21 Subsection (a) was due to:

- 21-22 (1) a serious illness or health condition of the
21-23 teacher or a close family member of the teacher;
21-24 (2) the teacher's relocation because the teacher's
21-25 spouse or a partner who resides with the teacher changes employers
21-26 or location of employment;
21-27 (3) a significant change in the needs of the teacher's
21-28 family in a manner that requires the teacher to:

- 21-29 (A) relocate; or
21-30 (B) forgo employment during a period of required
21-31 employment under the teacher's contract; or

21-32 (4) the teacher's reasonable belief that the teacher
21-33 had written permission from the school district's administration to
21-34 resign.

21-35 SECTION 3.06. Section 21.257, Education Code, is amended by
21-36 amending Subsection (a) and adding Subsection (f) to read as
21-37 follows:

21-38 (a) Except as provided by Subsection (f), not ~~[Not]~~ later
21-39 than the 60th day after the date on which the commissioner receives
21-40 a teacher's written request for a hearing, the hearing examiner
21-41 shall complete the hearing and make a written recommendation that:

- 21-42 (1) includes proposed findings of fact and conclusions
21-43 of law; and
21-44 (2) may include a proposal for granting relief.

21-45 (f) The hearing examiner may dismiss a hearing before
21-46 completing the hearing or making a written recommendation if:

- 21-47 (1) the teacher requests the dismissal;
21-48 (2) the school district withdraws the proposed
21-49 decision that is the basis of the hearing; or
21-50 (3) the teacher and school district request the
21-51 dismissal after reaching a settlement regarding the proposed
21-52 decision that is the basis of the hearing.

21-53 SECTION 3.07. Subchapter I, Chapter 21, Education Code, is
21-54 amended by adding Sections 21.416 and 21.418 to read as follows:

21-55 Sec. 21.416. EMPLOYED RETIREE TEACHER REIMBURSEMENT GRANT
21-56 PROGRAM. (a) From money appropriated or otherwise available, the
21-57 commissioner shall establish and administer a grant program to
21-58 award money to reimburse a school district, an open-enrollment
21-59 charter school, the Windham School District, the Texas School for
21-60 the Deaf, or the Texas School for the Blind and Visually Impaired
21-61 that hires a teacher who retired before September 1, 2024, for the
21-62 increased contributions to the Teacher Retirement System
21-63 associated with hiring the retired teacher.

21-64 (b) In appropriating money for grants awarded under this
21-65 section, the legislature may provide for, modify, or limit amounts
21-66 appropriated for that purpose in the General Appropriations Act,
21-67 including by:

- 21-68 (1) providing, notwithstanding Subsection (a), a date
21-69 or date range other than September 1, 2024, before which a teacher

22-1 must have retired for a school district, an open-enrollment charter
 22-2 school, the Windham School District, the Texas School for the Deaf,
 22-3 or the Texas School for the Blind and Visually Impaired that hires
 22-4 the teacher to be eligible; or

22-5 (2) limiting eligibility to a district or school
 22-6 described by Subdivision (1) that hires a retired teacher:

22-7 (A) who holds a certain certification;

22-8 (B) to teach a certain subject or grade;

22-9 (C) in a certain geographical area; or

22-10 (D) to provide instruction to certain students,
 22-11 including to students with disabilities.

22-12 (c) The commissioner shall proportionally reduce the amount
 22-13 of money awarded to school districts, open-enrollment charter
 22-14 schools, the Windham School District, the Texas School for the
 22-15 Deaf, and the Texas School for the Blind and Visually Impaired under
 22-16 this section if the number of grant applications by eligible
 22-17 districts or schools exceeds the number of grants the commissioner
 22-18 could award with the money appropriated or otherwise available for
 22-19 the purpose.

22-20 (d) A school district, an open-enrollment charter school,
 22-21 the Windham School District, the Texas School for the Deaf, or the
 22-22 Texas School for the Blind and Visually Impaired may use money
 22-23 received under this section to make required payments under Section
 22-24 825.4092, Government Code.

22-25 Sec. 21.418. ELECTION BY TEACHER TO USE UNPAID LEAVE. The
 22-26 board of trustees of a school district shall adopt a policy that
 22-27 provides a classroom teacher employed by the district the option to
 22-28 elect not to take the teacher's paid personal leave concurrently
 22-29 with unpaid leave the teacher is entitled to take under the Family
 22-30 and Medical Leave Act of 1993 (29 U.S.C. Section 2601 et seq.) for
 22-31 an absence due to pregnancy or the birth or adoption of a child.

22-32 SECTION 3.08. Subchapter J, Chapter 21, Education Code, is
 22-33 amended by adding Sections 21.466, 21.467, and 21.468 to read as
 22-34 follows:

22-35 Sec. 21.466. TEACHER QUALITY ASSISTANCE. (a) From money
 22-36 appropriated or otherwise available for the purpose, the agency
 22-37 shall develop training for and provide technical assistance to
 22-38 school districts and open-enrollment charter schools regarding:

22-39 (1) strategic compensation, staffing, and scheduling
 22-40 efforts that improve professional growth, teacher leadership
 22-41 opportunities, and staff retention;

22-42 (2) programs that encourage high school students or
 22-43 other members of the community in the area served by the district to
 22-44 become teachers, including available teacher apprenticeship
 22-45 programs; and

22-46 (3) programs or strategies that school leaders may use
 22-47 to establish clear and attainable behavior expectations while
 22-48 proactively supporting students.

22-49 (b) From money appropriated or otherwise available, the
 22-50 agency shall provide grants to school districts and open-enrollment
 22-51 charter schools to implement initiatives developed under this
 22-52 section.

22-53 Sec. 21.467. TEACHER TIME STUDY. (a) From money
 22-54 appropriated or otherwise available for the purpose, the agency
 22-55 shall develop and maintain a technical assistance program to
 22-56 support school districts and open-enrollment charter schools in:

22-57 (1) studying how the district's or school's staff and
 22-58 student schedules, required noninstructional duties for classroom
 22-59 teachers, and professional development requirements for educators
 22-60 are affecting the amount of time classroom teachers work each week;

22-61 (2) refining the schedules for students or staff as
 22-62 necessary to ensure teachers have sufficient time during normal
 22-63 work hours to fulfill all job duties, including addressing the
 22-64 needs of students; and

22-65 (3) studying how to reduce and streamline the tasks
 22-66 and duties a teacher is required to perform.

22-67 (b) The agency shall periodically make findings and
 22-68 recommendations for best practices publicly available using
 22-69 information from participating school districts and

23-1 open-enrollment charter schools.

23-2 Sec. 21.468. TEACHER POSITION INFORMATION. The agency
 23-3 shall collect data from school districts and open-enrollment
 23-4 charter schools to address teacher retention and recruitment,
 23-5 including the classifications, grade levels, subject areas,
 23-6 duration, and other relevant information regarding vacant teaching
 23-7 positions at districts and schools. The data may be collected
 23-8 through the Public Education Information Management System (PEIMS)
 23-9 or another electronic reporting mechanism specified by the agency.

23-10 SECTION 3.09. Section 26.011, Education Code, is amended by
 23-11 adding Subsection (c) to read as follows:

23-12 (c) A grievance procedure adopted under Subsection (a) must
 23-13 require that, for a complaint filed against a teacher or other
 23-14 employee, the school district provide:

23-15 (1) notice of the complaint to the teacher or employee
 23-16 against whom the complaint was filed; and

23-17 (2) sufficient opportunity for the teacher or employee
 23-18 against whom the complaint was filed to submit a written response to
 23-19 the complaint to be included in the record.

23-20 SECTION 3.10. Section 37.002, Education Code, is amended by
 23-21 amending Subsections (b), (c), and (d) and adding Subsections
 23-22 (b-2), (b-3), (c-1), (c-2), (e-1), (e-2), and (f) to read as
 23-23 follows:

23-24 (b) A teacher may remove from class a student who:

23-25 (1) repeatedly interferes [~~who has been documented by~~
 23-26 ~~the teacher to repeatedly interfere]~~ with the teacher's ability to
 23-27 communicate effectively with the students in the class or with the
 23-28 ability of the student's classmates to learn; [~~or]~~

23-29 (2) demonstrates [~~whose]~~ behavior that is unruly,
 23-30 disruptive, or abusive toward the teacher, another adult, or
 23-31 another student; or

23-32 (3) engages in conduct that constitutes bullying, as
 23-33 defined by Section 37.0832 [~~determines is so unruly, disruptive, or~~
 23-34 ~~abusive that it seriously interferes with the teacher's ability to~~
 23-35 ~~communicate effectively with the students in the class or with the~~
 23-36 ~~ability of the student's classmates to learn].~~

23-37 (b-2) A teacher, campus behavior coordinator, or other
 23-38 appropriate administrator shall notify a parent or person standing
 23-39 in parental relation to a student of the removal of a student under
 23-40 this section.

23-41 (b-3) Subject to Sections 28.0022(a)(2) and (d), a teacher
 23-42 may remove a student from class under Subsection (b) of this section
 23-43 based on a single incident of behavior described by Subsection
 23-44 (b)(1), (2), or (3).

23-45 (c) If a teacher removes a student from class under
 23-46 Subsection (b), the principal may place the student into another
 23-47 appropriate classroom, into in-school suspension, or into a
 23-48 disciplinary alternative education program as provided by Section
 23-49 37.008. The principal may not return the student to that teacher's
 23-50 class without the teacher's written consent unless the committee
 23-51 established under Section 37.003 determines that such placement is
 23-52 the best or only alternative available and, not later than the third
 23-53 class day after the day on which the student was removed from class,
 23-54 a conference in which the teacher has been provided an opportunity
 23-55 to participate has been held in accordance with Section 37.009(a).
 23-56 The principal may not return the student to that teacher's class
 23-57 unless the teacher provides written consent for the student's
 23-58 return or a return to class plan has been prepared for that student.
 23-59 The principal may only designate an employee of the school whose
 23-60 primary duties do not include classroom instruction to create a
 23-61 return to class plan. The terms of the removal may prohibit the
 23-62 student from attending or participating in school-sponsored or
 23-63 school-related activity.

23-64 (c-1) A return to class plan required under Subsection (c)
 23-65 must be created before or at the conference described by that
 23-66 subsection. A plan created before the conference must be discussed
 23-67 at the conference.

23-68 (c-2) The commissioner shall adopt a model return to class
 23-69 plan for use by a school district in creating a return to class plan

24-1 for a student under Subsection (c).

24-2 (d) A teacher shall remove from class and send to the
 24-3 principal for placement in a disciplinary alternative education
 24-4 program or for expulsion, as appropriate, a student who engages in
 24-5 conduct described under Section 37.006 or 37.007. The student may
 24-6 not be returned to that teacher's class without the teacher's
 24-7 written consent unless the committee established under Section
 24-8 37.003 determines that such placement is the best or only
 24-9 alternative available and a conference in which the teacher has
 24-10 been provided an opportunity to participate has been held in
 24-11 accordance with Section 37.009(a). If the teacher removed the
 24-12 student from class because the student has engaged in the elements
 24-13 of any offense listed in Section 37.006(a)(2)(B) or Section
 24-14 37.007(a)(2)(A) or (b)(2)(C) against the teacher, the student may
 24-15 not be returned to the teacher's class without the teacher's written
 24-16 consent. The teacher may not be coerced to consent.

24-17 (e-1) A student may appeal the student's removal from class
 24-18 under this section to:

24-19 (1) the school's placement review committee
 24-20 established under Section 37.003; or

24-21 (2) the safe and supportive school team established
 24-22 under Section 37.115, in accordance with a district policy
 24-23 providing for such an appeal to be made to the team.

24-24 (e-2) The principal, campus behavior coordinator, or other
 24-25 appropriate administrator shall, at the conference required under
 24-26 Section 37.009(a), notify a student who has been removed from class
 24-27 under this section and the parent of or person standing in parental
 24-28 relation to the student of the student's right to appeal under
 24-29 Subsection (e-1).

24-30 (f) Section 37.004 applies to the removal or placement under
 24-31 this section of a student with a disability who receives special
 24-32 education services.

24-33 SECTION 3.11. Section 37.115(c), Education Code, as amended
 24-34 by Chapters 896 (H.B. 3) and 948 (S.B. 1720), Acts of the 88th
 24-35 Legislature, Regular Session, 2023, is reenacted and amended to
 24-36 read as follows:

24-37 (c) The board of trustees of each school district shall
 24-38 establish a threat assessment and safe and supportive school team
 24-39 to serve at each campus of the district and shall adopt policies and
 24-40 procedures for the teams. The team is responsible for developing
 24-41 and implementing the safe and supportive school program under
 24-42 Subsection (b) at the district campus served by the team. The
 24-43 policies and procedures adopted under this section must:

24-44 (1) be consistent with the model policies and
 24-45 procedures developed by the Texas School Safety Center;

24-46 (2) require each team to complete training provided by
 24-47 the Texas School Safety Center or a regional education service
 24-48 center regarding evidence-based threat assessment programs;

24-49 (3) require each team established under this section
 24-50 to report the information required under Subsection (k) regarding
 24-51 the team's activities to the agency; ~~and~~

24-52 (4) provide for:

24-53 (A) a district employee who reports a potential
 24-54 threat to a team to elect for the employee's identity to be
 24-55 confidential and not subject to disclosure under Chapter 552,
 24-56 Government Code, except as necessary for the team, the district, or
 24-57 law enforcement to investigate the potential threat; and

24-58 (B) the district to maintain a record of the
 24-59 identity of a district employee who elects for the employee's
 24-60 identity to be confidential under Paragraph (A);

24-61 (5) ~~(4)~~ require each district campus to establish a
 24-62 clear procedure for a student to report concerning behavior
 24-63 exhibited by another student for assessment by the team or other
 24-64 appropriate school employee; and

24-65 (6) require that, as soon as safe and practicable
 24-66 after an administrator or team for a district campus receives
 24-67 information regarding a threat made against that campus, including
 24-68 through social media, the administrator or team immediately provide
 24-69 to each member of the teaching staff, including teacher's aides,

25-1 who may be directly affected by the threat notice that includes:

25-2 (A) a statement of the existence of the threat;

25-3 (B) the nature of the threat; and

25-4 (C) any other pertinent details to ensure student
25-5 and staff safety.

25-6 SECTION 3.12. Section 21.257(f), Education Code, as added
25-7 by this article, applies only to a hearing before a hearing examiner
25-8 commenced on or after the effective date of this article.

25-9 SECTION 3.13. Sections 11.1513(d) and (e), Education Code,
25-10 as amended by this article, and Section 21.418, Education Code, as
25-11 added by this article, apply beginning with the 2025-2026 school
25-12 year.

25-13 SECTION 3.14. To the extent of any conflict between the
25-14 changes made to the Education Code by this article and the changes
25-15 made to the Education Code by another Act of the 89th Legislature,
25-16 Regular Session, 2025, the changes made by this article prevail.

25-17 SECTION 3.15. This article takes effect immediately if this
25-18 Act receives a vote of two-thirds of all the members elected to each
25-19 house, as provided by Section 39, Article III, Texas Constitution.
25-20 If this Act does not receive the vote necessary for immediate
25-21 effect, this article takes effect September 1, 2025.

25-22 ARTICLE 4. SPECIAL EDUCATION

25-23 SECTION 4.01. Section 7.021(b)(10), Education Code, is
25-24 amended to read as follows:

25-25 (10) The agency shall carry out duties assigned under
25-26 Section 30.002 concerning children who have visual impairments, are
25-27 deaf or hard of hearing, or are deaf-blind [~~with visual~~
25-28 ~~impairments~~].

25-29 SECTION 4.02. Section 7.055(b)(25), Education Code, is
25-30 amended to read as follows:

25-31 (25) The commissioner shall develop a system to
25-32 distribute to school districts or regional education service
25-33 centers a special supplemental allowance for students with visual
25-34 impairments as required under Section 30.0021 [~~30.002~~].

25-35 SECTION 4.03. Section 8.051(d), Education Code, is amended
25-36 to read as follows:

25-37 (d) Each regional education service center shall maintain
25-38 core services for purchase by school districts and campuses. The
25-39 core services are:

25-40 (1) training and assistance in:

25-41 (A) teaching each subject area assessed under
25-42 Section 39.023; and

25-43 (B) providing instruction in personal financial
25-44 literacy as required under Section 28.0021;

25-45 (2) training and assistance in providing each program
25-46 that qualifies for a funding allotment under Section 48.102,
25-47 48.1021, 48.103, 48.104, 48.105, or 48.109;

25-48 (3) assistance specifically designed for a school
25-49 district or campus assigned an unacceptable performance rating
25-50 under Section 39.054;

25-51 (4) training and assistance to teachers,
25-52 administrators, members of district boards of trustees, and members
25-53 of site-based decision-making committees;

25-54 (5) assistance specifically designed for a school
25-55 district that is considered out of compliance with state or federal
25-56 special education requirements, based on the agency's most recent
25-57 compliance review of the district's special education programs; and

25-58 (6) assistance in complying with state laws and rules.

25-59 SECTION 4.04. Sections 28.025(c-7) and (c-8), Education
25-60 Code, are amended to read as follows:

25-61 (c-7) Subject to Subsection (c-8), a student who is enrolled
25-62 in a special education program under Subchapter A, Chapter 29, may
25-63 earn the distinguished level of achievement under Subsection (b-15)
25-64 or an endorsement on the student's transcript under Subsection
25-65 (c-1) by:

25-66 (1) successfully completing, with or without
25-67 modification of the curriculum:

25-68 (A) the curriculum requirements identified by
25-69 the State Board of Education under Subsection (a); [~~and~~]

26-1 (B) for the distinguished level of achievement,
 26-2 the additional curriculum requirements prescribed under Subsection
 26-3 (b-15); and

26-4 (C) for an endorsement, the additional
 26-5 [endorsement] curriculum requirements prescribed by the State
 26-6 Board of Education under Subsection (c-2); and

26-7 (2) successfully completing all curriculum
 26-8 requirements for the distinguished level of achievement or that
 26-9 endorsement adopted by the State Board of Education:

26-10 (A) without modification of the curriculum; or

26-11 (B) with modification of the curriculum,
 26-12 provided that the curriculum, as modified, is sufficiently rigorous
 26-13 as determined by the student's admission, review, and dismissal
 26-14 committee and documented in the student's individualized education
 26-15 program.

26-16 (c-8) For purposes of Subsection (c-7), the admission,
 26-17 review, and dismissal committee of a student in a special education
 26-18 program under Subchapter A, Chapter 29, shall determine whether the
 26-19 student is required to achieve satisfactory performance on an
 26-20 end-of-course assessment instrument to earn the distinguished
 26-21 level of achievement or an endorsement on the student's transcript.

26-22 SECTION 4.05. Section 29.001, Education Code, is amended to
 26-23 read as follows:

26-24 Sec. 29.001. IMPLEMENTATION OF SPECIAL EDUCATION
 26-25 LAW [~~STATEWIDE PLAN~~]. (a) As the state education agency
 26-26 responsible for carrying out the purposes of Part B, Individuals
 26-27 with Disabilities Education Act (20 U.S.C. Section 1411 et seq.),
 26-28 the [The] agency shall develop, and revise [modify] as necessary, a
 26-29 comprehensive system to ensure statewide and local compliance
 26-30 [design, consistent] with federal and state law related to special
 26-31 education[, for the delivery of services to children with
 26-32 disabilities in this state that includes rules for the
 26-33 administration and funding of the special education program so that
 26-34 a free appropriate public education is available to all of those
 26-35 children between the ages of three and 21].

26-36 (b) The comprehensive system must [statewide design shall]
 26-37 include the provision of services primarily through school
 26-38 districts and shared services arrangements, supplemented by
 26-39 regional education service centers.

26-40 (c) The comprehensive system must focus on maximizing
 26-41 student outcomes and include [agency shall also develop and
 26-42 implement a statewide plan with programmatic content that includes
 26-43 procedures designed to]:

26-44 (1) rulemaking, technical assistance, guidance
 26-45 documents, monitoring protocols, data elements necessary for
 26-46 statewide reporting, and other resources as necessary to implement
 26-47 and ensure compliance with federal and state law related to special
 26-48 education [ensure state compliance with requirements for
 26-49 supplemental federal funding for all state-administered programs
 26-50 involving the delivery of instructional or related services to
 26-51 students with disabilities];

26-52 (2) the facilitation of [facilitate] interagency
 26-53 coordination when other state agencies are involved in the delivery
 26-54 of instructional or related services to students with disabilities;

26-55 (3) the pursuit of [periodically assess statewide
 26-56 personnel needs in all areas of specialization related to special
 26-57 education and pursue] strategies to meet statewide special
 26-58 education and related services personnel [those] needs [through a
 26-59 consortium of representatives from regional education service
 26-60 centers, local education agencies, and institutions of higher
 26-61 education and through other available alternatives];

26-62 (4) ensuring [ensure] that regional education service
 26-63 centers throughout the state maintain a regional support function,
 26-64 which may include procedures for service centers to assist school
 26-65 districts in identifying existing public or private educational or
 26-66 related services in each region, cooperatively developing programs
 26-67 for students with disabilities, providing to or obtaining for
 26-68 school districts special equipment, delivering services, and
 26-69 facilitating [direct service delivery and a component designed to

27-1 ~~facilitate~~] the placement of students with disabilities who cannot
 27-2 be appropriately served in their resident districts;

27-3 (5) ~~[allow the agency to]~~ effectively monitoring
 27-4 ~~[monitor]~~ and periodically conducting ~~[conduct]~~ site visits of all
 27-5 school districts to ensure that rules adopted under this subchapter
 27-6 ~~[section]~~ are applied in a consistent and uniform manner, to ensure
 27-7 that districts are complying with those rules, and to ensure that
 27-8 annual statistical reports filed by the districts and not otherwise
 27-9 available through the Public Education Information Management
 27-10 System under Sections 48.008 and 48.009 are accurate and complete;
 27-11 and

27-12 (6) the provision of training and technical assistance
 27-13 to ensure that:

27-14 (A) appropriately trained personnel are involved
 27-15 in the diagnostic and evaluative procedures operating in all
 27-16 districts and that those personnel routinely serve on district
 27-17 multidisciplinary evaluation teams and admissions, review, and
 27-18 dismissal committees;

27-19 (B) ~~[(7) ensure that]~~ an individualized
 27-20 education program for each student with a disability is properly
 27-21 developed, implemented, and maintained in the least restrictive
 27-22 environment that is appropriate to meet the student's educational
 27-23 needs;

27-24 (C) appropriately trained personnel are
 27-25 available to students with disabilities who have significant
 27-26 behavioral support needs, including by making behavioral support
 27-27 training available to each paraprofessional or teacher placed in a
 27-28 classroom or other setting that is intended to provide specialized
 27-29 behavioral supports to a student with a disability, as needed or at
 27-30 regular intervals as provided in the student's individualized
 27-31 education program;

27-32 (D) ~~[(8) ensure that,]~~ when appropriate, each
 27-33 student with a disability is provided an opportunity to participate
 27-34 in career and technology and physical education classes ~~[, in~~
 27-35 ~~addition to participating in regular or special classes];~~

27-36 (E) ~~[(9) ensure that]~~ each student with a
 27-37 disability is provided necessary related services;

27-38 (F) school districts have an opportunity to
 27-39 request technical assistance from the agency or a regional
 27-40 education service center in establishing classroom environments
 27-41 conducive to learning for students with disabilities, including
 27-42 environments for students whose data indicate behavior that
 27-43 significantly impedes the student's own learning and the learning
 27-44 of other students;

27-45 (G) ~~[(10) ensure that]~~ an individual assigned
 27-46 to act as a surrogate parent for a child with a disability, as
 27-47 provided by 20 U.S.C. Section 1415(b), is required to:

27-48 (i) ~~[(A)]~~ complete a training program that
 27-49 complies with minimum standards established by agency rule;

27-50 (ii) ~~[(B)]~~ visit the child and the child's
 27-51 school;

27-52 (iii) ~~[(C)]~~ consult with persons involved
 27-53 in the child's education, including teachers, caseworkers,
 27-54 court-appointed volunteers, guardians ad litem, attorneys ad
 27-55 litem, foster parents, and caretakers;

27-56 (iv) ~~[(D)]~~ review the child's educational
 27-57 records;

27-58 (v) ~~[(E)]~~ attend meetings of the child's
 27-59 admission, review, and dismissal committee;

27-60 (vi) ~~[(F)]~~ exercise independent judgment
 27-61 in pursuing the child's interests; and

27-62 (vii) ~~[(G)]~~ exercise the child's due
 27-63 process rights under applicable state and federal law; and

27-64 (H) ~~[(11) ensure that]~~ each district develops a
 27-65 process to be used by a teacher who instructs a student with a
 27-66 disability in a general education ~~[regular]~~ classroom setting:

27-67 (i) ~~[(A)]~~ to request a review of the
 27-68 student's individualized education program;

27-69 (ii) ~~[(B)]~~ to provide input in the

28-1 development of the student's individualized education program;
 28-2 (iii) [(C)] that provides for a timely
 28-3 district response to the teacher's request; and
 28-4 (iv) [(D)] that provides for notification
 28-5 to the student's parent or legal guardian of that response.

28-6 SECTION 4.06. Subchapter A, Chapter 29, Education Code, is
 28-7 amended by adding Section 29.0012 to read as follows:

28-8 Sec. 29.0012. ANNUAL MEETING ON SPECIAL EDUCATION. (a) At
 28-9 least once each year, the board of trustees of a school district or
 28-10 the governing body of an open-enrollment charter school shall
 28-11 include during a public meeting a discussion of the performance of
 28-12 students receiving special education services at the district or
 28-13 school.

28-14 (b) The agency by rule shall adopt a set of performance
 28-15 indicators for measuring and evaluating the quality of learning and
 28-16 achievement for students receiving special education services at
 28-17 the school district or open-enrollment charter school to be
 28-18 considered at a meeting held under this section. The indicators
 28-19 must include performance on the college, career, or military
 28-20 readiness outcomes described by Section 48.110.

28-21 SECTION 4.07. Section 29.003, Education Code, is amended to
 28-22 read as follows:

28-23 Sec. 29.003. ELIGIBILITY CRITERIA. (a) The agency shall
 28-24 develop specific eligibility criteria based on the general
 28-25 classifications established by this section and in accordance with
 28-26 federal law ~~[with reference to contemporary diagnostic or~~
 28-27 ~~evaluative terminologies and techniques]~~. Eligible students with
 28-28 disabilities shall enjoy the right to a free appropriate public
 28-29 education, which may include instruction in the general education
 28-30 ~~[regular]~~ classroom, instruction through special teaching, or
 28-31 instruction through contracts approved under this subchapter.
 28-32 Instruction shall be supplemented by the provision of related
 28-33 services when appropriate.

28-34 (b) A student is eligible to participate in a school
 28-35 district's special education program ~~[if the student]~~:

28-36 (1) from birth through [is not more than] 21 years of
 28-37 age if the student [and] has a visual [or auditory] impairment, is
 28-38 deaf or hard of hearing, or is deaf-blind and that disability
 28-39 prevents the student from being adequately or safely educated in
 28-40 public school without the provision of special education services;
 28-41 ~~[or]~~

28-42 (2) from three years of age through nine years of age
 28-43 if the student is experiencing developmental delays as described by
 28-44 20 U.S.C. Section 1401(3)(B) and defined by commissioner rule; or

28-45 (3) from 3 years of age through [is at least three but
 28-46 not more than] 21 years of age if the student [and] has one or more
 28-47 of the [following] disabilities described by 20 U.S.C. Section
 28-48 1401(3)(A) and that disability prevents the student from being
 28-49 adequately or safely educated in public school without the
 28-50 provision of special education services[+]

28-51 ~~[(A) physical disability,~~
 28-52 ~~[(B) intellectual or developmental disability,~~
 28-53 ~~[(C) emotional disturbance,~~
 28-54 ~~[(D) learning disability,~~
 28-55 ~~[(E) autism,~~
 28-56 ~~[(F) speech disability; or~~
 28-57 ~~[(G) traumatic brain injury].~~

28-58 SECTION 4.08. Sections 29.005(a), (d), and (e), Education
 28-59 Code, are amended to read as follows:

28-60 (a) Before a child is enrolled in a special education
 28-61 program of a school district, the district shall establish a
 28-62 committee composed of the persons required under 20 U.S.C. Section
 28-63 1414(d) to develop the child's individualized education program.
 28-64 If a committee is required to include a general [regular] education
 28-65 teacher, the ~~[regular education]~~ teacher included must, to the
 28-66 extent practicable, be a teacher who is responsible for
 28-67 implementing a portion of the child's individualized education
 28-68 program.

28-69 (d) If the primary language of the child's parent is a

29-1 language other than [~~is unable to speak~~] English, the district
29-2 shall:

29-3 (1) provide the parent with a written or audiotaped
29-4 copy of the child's individualized education program translated
29-5 into Spanish if Spanish is the parent's primary [~~native~~] language;
29-6 or

29-7 (2) if the parent's primary [~~native~~] language is a
29-8 language other than Spanish, make a good faith effort to provide the
29-9 parent with a written or audiotaped copy of the child's
29-10 individualized education program translated into the parent's
29-11 primary [~~native~~] language.

29-12 (e) The commissioner by rule may require a school district
29-13 to include in the individualized education program of a student
29-14 with autism [~~or another pervasive developmental disorder~~] any
29-15 information or requirement determined necessary to ensure the
29-16 student receives a free appropriate public education as required
29-17 under the Individuals with Disabilities Education Act (20 U.S.C.
29-18 Section 1400 et seq.).

29-19 SECTION 4.09. Section 29.0051, Education Code, is amended
29-20 by adding Subsection (d) to read as follows:

29-21 (d) From federal money appropriated or otherwise available
29-22 for the purpose, the commissioner may develop or procure the model
29-23 form developed under Subsection (a) in a digital format. If the
29-24 commissioner develops or procures the model form in a digital
29-25 format, the commissioner shall adopt rules regarding school
29-26 district use of the form in that format.

29-27 SECTION 4.10. Subchapter A, Chapter 29, Education Code, is
29-28 amended by adding Section 29.0056 to read as follows:

29-29 Sec. 29.0056. INFORMATION REGARDING STATE SUPPORTED LIVING
29-30 CENTERS. (a) In this section, "state supported living center" has
29-31 the meaning assigned by Section 531.002, Health and Safety Code.

29-32 (b) The Health and Human Services Commission, in
29-33 collaboration with the agency and stakeholders who represent the
29-34 full continuum of educational residential placement options, shall
29-35 develop and provide to the agency materials regarding educational
29-36 residential placement options for children who may qualify for
29-37 placement in a state supported living center. The agency shall make
29-38 the materials developed under this subsection available to school
29-39 districts.

29-40 (c) At a meeting of a child's admission, review, and
29-41 dismissal committee at which residential placement is discussed,
29-42 the school district shall provide to the child's parent the
29-43 materials developed under Subsection (b).

29-44 SECTION 4.11. Sections 29.006(a) and (c), Education Code,
29-45 are amended to read as follows:

29-46 (a) The governor shall appoint a continuing advisory
29-47 committee consistent with[~~, composed of 17 members, under~~] 20
29-48 U.S.C. Section 1412(a)(21). At least one member appointed under
29-49 this subsection must be a director of special education programs
29-50 for a school district.

29-51 (c) Members of the committee are appointed for staggered
29-52 terms of four years with the terms of half of the [~~eight or nine~~]
29-53 members or, for an odd number of members, half of the members
29-54 rounded down or half of the members rounded up expiring on February
29-55 1 of each odd-numbered year.

29-56 SECTION 4.12. Section 29.008, Education Code, is amended to
29-57 read as follows:

29-58 Sec. 29.008. CONTRACTS FOR SERVICES; RESIDENTIAL AND DAY
29-59 PLACEMENT PROGRAMS. (a) The commissioner shall set minimum
29-60 standards for and develop and update as necessary a list of approved
29-61 public or private facilities, institutions, agencies, or
29-62 businesses inside or outside of this state that a [A] school
29-63 district, shared services arrangement unit, or regional education
29-64 service center may contract with [~~a public or private facility,~~
29-65 ~~institution, or agency inside or outside of this state~~] for the
29-66 provision of services to students with disabilities in a
29-67 residential or day placement program.

29-68 (a-1) [~~Each contract for residential placement must be~~
29-69 ~~approved by the commissioner.~~] The commissioner may approve a

30-1 facility, institution, agency, or business under Subsection (a)
 30-2 ~~[residential placement contract]~~ only after at least a programmatic
 30-3 evaluation of personnel qualifications, costs, adequacy of
 30-4 physical plant and equipment, and curriculum content. ~~[The~~
 30-5 ~~commissioner may approve either the whole or a part of a facility or~~
 30-6 ~~program.]~~

30-7 (a-2) Each contract described by this section must be
 30-8 approved by the commissioner. A school district, shared services
 30-9 arrangement unit, or regional education service center seeking to
 30-10 place a student in a residential or day placement program that is
 30-11 not on the list developed under Subsection (a) must submit to the
 30-12 commissioner an application for approval in accordance with
 30-13 Subsections (a) and (a-1).

30-14 (b) Except as provided by Subsection (c), costs of an
 30-15 approved contract for residential placement may be paid from a
 30-16 combination of federal, state, and local funds. The local share of
 30-17 the total contract cost for each student is that portion of the
 30-18 local tax effort that exceeds the district's local fund assignment
 30-19 under Section 48.256, divided by the average daily attendance in
 30-20 the district. If the contract involves a private facility, the
 30-21 state share of the total contract cost is that amount remaining
 30-22 after subtracting the local share. If the contract involves a
 30-23 public facility, the state share is that amount remaining after
 30-24 subtracting the local share from the portion of the contract that
 30-25 involves the costs of instructional and related services. For
 30-26 purposes of this subsection, "local tax effort" means the total
 30-27 amount of money generated by taxes imposed for debt service and
 30-28 maintenance and operation less any amounts paid into a tax
 30-29 increment fund under Chapter 311, Tax Code. This subsection
 30-30 expires September 1, 2027.

30-31 (c) When a student, including one for whom the state is
 30-32 managing conservator, is placed primarily for care or treatment
 30-33 reasons in a private ~~[residential]~~ facility that operates its own
 30-34 private education program, none of the costs may be paid from public
 30-35 education funds. If a ~~[residential]~~ placement primarily for care
 30-36 or treatment reasons involves a private ~~[residential]~~ facility in
 30-37 which the education program is provided by the school district, the
 30-38 portion of the costs that includes appropriate education services,
 30-39 as determined by the school district's admission, review, and
 30-40 dismissal committee, shall be paid from state and federal education
 30-41 funds.

30-42 (d) A district that contracts for the provision of education
 30-43 services rather than providing the services itself shall oversee
 30-44 the implementation of the student's individualized education
 30-45 program and shall annually reevaluate the appropriateness of the
 30-46 arrangement. The reevaluation must include standards and
 30-47 expectations that must be met to reintegrate the student to the
 30-48 general education setting. An approved facility, institution, ~~[or]~~
 30-49 agency, or business with whom the district contracts shall
 30-50 periodically report to the district and the agency on the services
 30-51 the student has received or will receive in accordance with the
 30-52 contract as well as diagnostic or other evaluative information that
 30-53 the district or agency requires in order to fulfill its obligations
 30-54 under this subchapter.

30-55 (e) The commissioner shall adopt rules for residential and
 30-56 day placement of students receiving special education services.

30-57 SECTION 4.13. The heading to Section 29.009, Education
 30-58 Code, is amended to read as follows:

30-59 Sec. 29.009. PUBLIC NOTICE CONCERNING EARLY CHILDHOOD
 30-60 SPECIAL EDUCATION ~~[PRESCHOOL]~~ PROGRAMS ~~[FOR STUDENTS WITH~~
 30-61 ~~DISABILITIES]~~.

30-62 SECTION 4.14. Section 29.010, Education Code, is amended to
 30-63 read as follows:

30-64 Sec. 29.010. GENERAL SUPERVISION AND COMPLIANCE. (a) The
 30-65 agency shall develop ~~[adopt]~~ and implement a comprehensive system
 30-66 for monitoring school district compliance with federal and state
 30-67 laws relating to special education. The monitoring system must
 30-68 include a comprehensive cyclical process and a targeted risk-based
 30-69 process ~~[provide for ongoing analysis of district special education~~

~~data and of complaints filed with the agency concerning special education services and for inspections of school districts at district facilities]. The agency shall establish criteria and instruments for use in determining district compliance under this section [use the information obtained through analysis of district data and from the complaints management system to determine the appropriate schedule for and extent of the inspection].~~

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

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

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

(d) The agency shall establish a system of progressive sanctions and enforcement provisions to apply to [For] districts that remain in noncompliance for more than one year[, the first stage of sanctions shall begin with annual or more frequent monitoring visits]. The [Subsequent] sanctions must [may] range in severity and may include [up to] the withholding of funds. If funds are withheld, the agency may use the funds, or direct the funds to be used, to provide, through alternative arrangements, services to students and staff members in the district from which the funds are withheld.

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

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

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

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

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

(2) coordinate regulatory and planning functions of the parties to the memorandum;

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

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

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

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

32-1 SECTION 4.16. Section 29.013, Education Code, is amended to
32-2 read as follows:

32-3 Sec. 29.013. NONEDUCATIONAL COMMUNITY-BASED SUPPORT
32-4 SERVICES GRANTS FOR CERTAIN STUDENTS WITH DISABILITIES. (a) The
32-5 commissioner [agency] shall adopt rules establishing [~~establish~~]
32-6 procedures and criteria for the allocation of grants [~~funds~~
32-7 ~~appropriated~~] under this section to students who are eligible under
32-8 Subsection (b) and the students' families [~~school districts~~] for
32-9 the provision of noneducational community-based support services
32-10 [~~to certain students with disabilities and their families so that~~
32-11 ~~those students may receive an appropriate free public education in~~
32-12 ~~the least restrictive environment~~].

32-13 (b) A grant [~~The funds~~] may be awarded under this section
32-14 [~~used~~] only to a student with a disability [~~for eligible students~~
32-15 ~~with disabilities~~] who is [~~would remain or would have to be~~] placed
32-16 by the student's admission, review, and dismissal committee in:

32-17 (1) a residential program approved under Section
32-18 29.008; or

32-19 (2) a day placement program and is at risk of being
32-20 placed in a residential program approved under Section 29.008
32-21 [~~facilities primarily for educational reasons without the~~
32-22 ~~provision of noneducational community-based support services~~].

32-23 (c) The support services may not be related to the provision
32-24 of a free appropriate public education to the student and may
32-25 include in-home family support, behavioral and other
32-26 disability-related supports for the student's family, respite
32-27 care, and case management for the student's family [~~families with a~~
32-28 ~~student who otherwise would have been placed by a district in a~~
32-29 ~~private residential facility~~].

32-30 (d) A school district shall:

32-31 (1) notify the parent of a student described by
32-32 Subsection (b) of the availability of grants under this section;
32-33 and

32-34 (2) designate a campus or district staff member to
32-35 assist families of students described by Subsection (b) in
32-36 accessing grants under this section.

32-37 (e) On request by the parent of a student described by
32-38 Subsection (b), the commissioner shall create an account for the
32-39 student to access a grant under this section through which the
32-40 parent may request payment for approved support services.

32-41 (f) In adopting rules under this section, the commissioner
32-42 shall adopt rules and guidelines detailing the process to access
32-43 grant money and the amount of each grant, including a process for a
32-44 parent to apply for an increase in the grant amount.

32-45 (g) The provision of services under this section does not
32-46 supersede or limit the responsibility of a school district or other
32-47 agencies to provide or pay for costs [~~of noneducational~~
32-48 ~~community-based support services~~] to enable any student with
32-49 disabilities to receive a free appropriate public education in the
32-50 least restrictive environment. [~~Specifically, services provided~~
32-51 ~~under this section may not be used for a student with disabilities~~
32-52 ~~who is currently placed or who needs to be placed in a residential~~
32-53 ~~facility primarily for noneducational reasons.~~]

32-54 (h) The commissioner may designate a regional education
32-55 service center to administer grants under this section.

32-56 SECTION 4.17. Sections 29.014(c) and (d), Education Code,
32-57 are amended to read as follows:

32-58 (c) Notwithstanding any other provision of this code, a
32-59 student whose appropriate education program is a general [~~regular~~]
32-60 education program may receive services and be counted for
32-61 attendance purposes for the number of hours per week appropriate
32-62 for the student's condition if the student:

32-63 (1) is temporarily classified as eligible for
32-64 participation in a special education program because of the
32-65 student's confinement in a hospital; and

32-66 (2) the student's education is provided by a district
32-67 to which this section applies.

32-68 (d) The basic allotment for a student enrolled in a district
32-69 to which this section applies is adjusted by the tier of intensity

33-1 of service defined in accordance with ~~[weight for a homebound~~
 33-2 ~~student under]~~ Section 48.102 and designated by commissioner rule
 33-3 for use under this section ~~[48.102(a)]~~.

33-4 SECTION 4.18. Section 29.0162(b), Education Code, is
 33-5 amended to read as follows:

33-6 (b) The commissioner by rule shall adopt additional
 33-7 qualifications and requirements for a representative for purposes
 33-8 of Subsection (a)(2). The rules must:

33-9 (1) prohibit an individual from being a representative
 33-10 under Subsection (a)(2) opposing a school district if:

33-11 (A) the individual has prior employment
 33-12 experience with the district; and

33-13 (B) the district raises an objection to the
 33-14 individual serving as a representative;

33-15 (2) include requirements that the representative have
 33-16 knowledge of:

33-17 (A) all special education dispute resolution
 33-18 options available to parents, including due process and due process
 33-19 rules, hearings, and procedure; and

33-20 (B) federal and state special education laws;

33-21 (3) require, if the representative receives monetary
 33-22 compensation from a person for representation in an impartial due
 33-23 process hearing, that the representative agree to abide by a
 33-24 voluntary code of ethics and professional conduct during the period
 33-25 of representation; and

33-26 (4) require, if the representative receives monetary
 33-27 compensation from a person for representation in an impartial due
 33-28 process hearing, that the representative enter into a written
 33-29 agreement for representation with the person who is the subject of
 33-30 the special education due process hearing that includes a process
 33-31 for resolving any disputes between the representative and the
 33-32 person.

33-33 SECTION 4.19. Section 29.018(b), Education Code, is amended
 33-34 to read as follows:

33-35 (b) A school district is eligible to apply for a grant under
 33-36 this section if:

33-37 (1) the district does not receive sufficient funds,
 33-38 including state funds provided under Sections [Section] 48.102 and
 33-39 48.1021 and federal funds, for a student with disabilities to pay
 33-40 for the special education services provided to the student; or

33-41 (2) the district does not receive sufficient funds,
 33-42 including state funds provided under Sections [Section] 48.102 and
 33-43 48.1021 and federal funds, for all students with disabilities in
 33-44 the district to pay for the special education services provided to
 33-45 the students.

33-46 SECTION 4.20. The heading to Section 29.020, Education
 33-47 Code, is amended to read as follows:

33-48 Sec. 29.020. STATE-ADMINISTERED INDIVIDUALIZED EDUCATION
 33-49 PROGRAM FACILITATION [PROJECT].

33-50 SECTION 4.21. Sections 29.020(a) and (c), Education Code,
 33-51 are amended to read as follows:

33-52 (a) The agency shall develop rules in accordance with this
 33-53 section applicable to state-administered [the administration of a
 33-54 state] individualized education program facilitation ~~[project]~~.
 33-55 The program shall include the provision of an independent
 33-56 individualized education program facilitator as a dispute
 33-57 resolution method that may be used to avoid a potential dispute
 33-58 between a school district and a parent of a student with a
 33-59 disability or to facilitate an admission, review, and dismissal
 33-60 committee meeting with parties who are in a dispute about decisions
 33-61 relating to the provision of a free appropriate public education to
 33-62 a student with a disability. Facilitation [implemented under the
 33-63 project] must comply with rules developed under this subsection.

33-64 (c) If the commissioner determines that adequate funding is
 33-65 available, the commissioner may authorize the use of federal funds
 33-66 to implement ~~[the]~~ individualized education program facilitation
 33-67 ~~[project]~~ in accordance with this section.

33-68 SECTION 4.22. Sections 29.022(a), (a-1), (b), (c), (c-1),
 33-69 (d), (f), (h), (k), (l), (q), (s), and (t), Education Code, are

34-1 amended to read as follows:

34-2 (a) In order to promote student safety, on receipt of a
 34-3 written request authorized under Subsection (a-1), a school
 34-4 district or open-enrollment charter school shall provide
 34-5 equipment, including a video camera, to the school or schools in the
 34-6 district or the charter school campus or campuses specified in the
 34-7 request. A school or campus that receives equipment as provided by
 34-8 this subsection shall place, operate, and maintain one or more
 34-9 video cameras in special education [~~self-contained~~] classrooms and
 34-10 other special education settings [~~in which a majority of the~~
 34-11 ~~students in regular attendance are provided special education and~~
 34-12 ~~related services and are assigned to one or more self-contained~~
 34-13 ~~classrooms or other special education settings for at least 50~~
 34-14 ~~percent of the instructional day]~~, provided that:

34-15 (1) a school or campus that receives equipment as a
 34-16 result of the request by a parent or staff member is required to
 34-17 place equipment only in classrooms or settings in which the
 34-18 parent's child is in regular attendance or to which the staff member
 34-19 is assigned, as applicable; and

34-20 (2) a school or campus that receives equipment as a
 34-21 result of the request by a board of trustees, governing body,
 34-22 principal, or assistant principal is required to place equipment
 34-23 only in classrooms or settings identified by the requestor, if the
 34-24 requestor limits the request to specific classrooms or settings
 34-25 subject to this subsection.

34-26 (a-1) For purposes of Subsection (a):

34-27 (1) a parent of a child who receives special education
 34-28 services in one or more special education [~~self-contained~~]
 34-29 classrooms or other special education settings may request in
 34-30 writing that equipment be provided to the school or campus at which
 34-31 the child receives those services;

34-32 (2) a board of trustees or governing body may request
 34-33 in writing that equipment be provided to one or more specified
 34-34 schools or campuses at which one or more children receive special
 34-35 education services in special education [~~self-contained~~]
 34-36 classrooms or other special education settings;

34-37 (3) the principal or assistant principal of a school
 34-38 or campus at which one or more children receive special education
 34-39 services in special education [~~self-contained~~] classrooms or other
 34-40 special education settings may request in writing that equipment be
 34-41 provided to the principal's or assistant principal's school or
 34-42 campus; and

34-43 (4) a staff member assigned to work with one or more
 34-44 children receiving special education services in special education
 34-45 [~~self-contained~~] classrooms or other special education settings
 34-46 may request in writing that equipment be provided to the school or
 34-47 campus at which the staff member works.

34-48 (b) A school or campus that places a video camera in a
 34-49 special education classroom or other special education setting in
 34-50 accordance with Subsection (a) shall operate and maintain the video
 34-51 camera in the classroom or setting, as long as the classroom or
 34-52 setting continues to satisfy the requirements under Subsection (a),
 34-53 for the remainder of the school year in which the school or campus
 34-54 received the request, unless the requestor withdraws the request in
 34-55 writing. If for any reason a school or campus will discontinue
 34-56 operation of a video camera during a school year, not later than the
 34-57 fifth school day before the date the operation of the video camera
 34-58 will be discontinued, the school or campus must notify the parents
 34-59 of each student in regular attendance in the classroom or setting
 34-60 that operation of the video camera will not continue unless
 34-61 requested by a person eligible to make a request under Subsection
 34-62 (a-1). Not later than the 10th school day before the end of each
 34-63 school year, the school or campus must notify the parents of each
 34-64 student in regular attendance in the classroom or setting that
 34-65 operation of the video camera will not continue during the
 34-66 following school year unless a person eligible to make a request for
 34-67 the next school year under Subsection (a-1) submits a new request.

34-68 (c) Except as provided by Subsection (c-1), video cameras
 34-69 placed under this section must be capable of:

35-1 (1) covering all areas of the special education
 35-2 classroom or other special education setting, including a room
 35-3 attached to the classroom or setting used for time-out; and

35-4 (2) recording audio from all areas of the special
 35-5 education classroom or other special education setting, including a
 35-6 room attached to the classroom or setting used for time-out.

35-7 (c-1) The inside of a bathroom or any area in the special
 35-8 education classroom or other special education setting in which a
 35-9 student's clothes are changed may not be visually monitored, except
 35-10 for incidental coverage of a minor portion of a bathroom or changing
 35-11 area because of the layout of the classroom or setting.

35-12 (d) Before a school or campus activates a video camera in a
 35-13 special education classroom or other special education setting
 35-14 under this section, the school or campus shall provide written
 35-15 notice of the placement to all school or campus staff and to the
 35-16 parents of each student attending class or engaging in school
 35-17 activities in the classroom or setting.

35-18 (f) A school district or open-enrollment charter school may
 35-19 solicit and accept gifts, grants, and donations from any person for
 35-20 use in placing video cameras in special education classrooms or
 35-21 other special education settings under this section.

35-22 (h) A school district or open-enrollment charter school may
 35-23 not:

35-24 (1) allow regular or continual monitoring of video
 35-25 recorded under this section; or

35-26 (2) use video recorded under this section for teacher
 35-27 evaluation or for any other purpose other than the promotion of
 35-28 safety of students receiving special education services in a
 35-29 special education [~~self-contained~~] classroom or other special
 35-30 education setting.

35-31 (k) The commissioner may adopt rules to implement and
 35-32 administer this section, including rules regarding the special
 35-33 education classrooms and other special education settings to which
 35-34 this section applies.

35-35 (1) A school district or open-enrollment charter school
 35-36 policy relating to the placement, operation, or maintenance of
 35-37 video cameras under this section must:

35-38 (1) include information on how a person may appeal an
 35-39 action by the district or school that the person believes to be in
 35-40 violation of this section or a policy adopted in accordance with
 35-41 this section, including the appeals process under Section 7.057;

35-42 (2) require that the district or school provide a
 35-43 response to a request made under this section not later than the
 35-44 seventh school business day after receipt of the request by the
 35-45 person to whom it must be submitted under Subsection (a-3) that
 35-46 authorizes the request or states the reason for denying the
 35-47 request;

35-48 (3) except as provided by Subdivision (5), require
 35-49 that a school or a campus begin operation of a video camera in
 35-50 compliance with this section not later than the 45th school
 35-51 business day, or the first school day after the 45th school business
 35-52 day if that day is not a school day, after the request is authorized
 35-53 unless the agency grants an extension of time;

35-54 (4) permit the parent of a student whose admission,
 35-55 review, and dismissal committee has determined that the student's
 35-56 placement for the following school year will be in a special
 35-57 education classroom or other special education setting in which a
 35-58 video camera may be placed under this section to make a request for
 35-59 the video camera by the later of:

35-60 (A) the date on which the current school year
 35-61 ends; or

35-62 (B) the 10th school business day after the date
 35-63 of the placement determination by the admission, review, and
 35-64 dismissal committee; and

35-65 (5) if a request is made by a parent in compliance with
 35-66 Subdivision (4), unless the agency grants an extension of time,
 35-67 require that a school or campus begin operation of a video camera in
 35-68 compliance with this section not later than the later of:

35-69 (A) the 10th school day of the fall semester; or

36-1 (B) the 45th school business day, or the first
36-2 school day after the 45th school business day if that day is not a
36-3 school day, after the date the request is made.

36-4 (q) The agency shall collect through the Public Education
36-5 Information Management System (PEIMS) data relating to requests
36-6 made under this section and actions taken by a school district or
36-7 open-enrollment charter school in response to a request, including
36-8 the number of requests made, authorized, and denied.

36-9 (s) This section applies to the placement, operation, and
36-10 maintenance of a video camera in a special education
36-11 [self-contained] classroom or other special education setting
36-12 during the regular school year and extended school year services.

36-13 (t) A video camera placed under this section is not required
36-14 to be in operation for the time during which students are not
36-15 present in the special education classroom or other special
36-16 education setting.

36-17 SECTION 4.23. Sections 29.022(u)(3) and (4), Education
36-18 Code, are amended to read as follows:

36-19 (3) "Special education classroom or other special
36-20 education setting" means a classroom or setting primarily used for
36-21 delivering special education services to students who spend on
36-22 average less than 50 percent of an instructional day in a general
36-23 education classroom or setting [~~"Self-contained classroom" does~~
36-24 ~~not include a classroom that is a resource room instructional~~
36-25 ~~arrangement under Section 48.102~~].

36-26 (4) "Staff member" means a teacher, related service
36-27 provider, paraprofessional, counselor, or educational aide
36-28 assigned to work in a special education [~~self-contained~~]
36-29 classroom or other special education setting.

36-30 SECTION 4.24. Subchapter A, Chapter 29, Education Code, is
36-31 amended by adding Sections 29.024 and 29.026 to read as follows:

36-32 Sec. 29.024. GRANT PROGRAM PROVIDING TRAINING IN DYSLEXIA
36-33 FOR TEACHERS AND STAFF. (a) From money appropriated or otherwise
36-34 available for the purpose, the commissioner shall establish a
36-35 program to award grants each school year to school districts and
36-36 open-enrollment charter schools to increase local capacity to
36-37 appropriately serve students with dyslexia.

36-38 (b) A school district, including a school district acting
36-39 through a district charter issued under Subchapter C, Chapter 12,
36-40 or an open-enrollment charter school, including a charter school
36-41 that primarily serves students with disabilities, as provided under
36-42 Section 12.1014, is eligible to apply for a grant under this section
36-43 if the district or school submits to the commissioner a proposal on
36-44 the use of grant funds that:

36-45 (1) incorporates evidence-based and research-based
36-46 design; and

36-47 (2) increases local capacity to appropriately serve
36-48 students with dyslexia by providing:

36-49 (A) high-quality training to classroom teachers
36-50 and administrators in meeting the needs of students with dyslexia;
36-51 or

36-52 (B) training to intervention staff resulting in
36-53 appropriate credentialing related to dyslexia, with priority for
36-54 training staff to earn the credentials necessary to become a
36-55 licensed dyslexia therapist or certified academic language
36-56 therapist.

36-57 (c) The commissioner shall create an external panel of
36-58 stakeholders, including parents of students with disabilities, to
36-59 provide assistance in the selection of applications for the award
36-60 of grants under this section.

36-61 (d) A grant awarded to a school district or open-enrollment
36-62 charter school under this section is in addition to the Foundation
36-63 School Program money that the district or charter school is
36-64 otherwise entitled to receive. A grant awarded under this section
36-65 may not come out of Foundation School Program money.

36-66 (e) The commissioner and any grant recipient selected under
36-67 this section may accept gifts, grants, and donations from any
36-68 public or private source, person, or group to implement and
36-69 administer the grant. The commissioner and any grant recipient

37-1 selected under this section may not require any financial
 37-2 contribution from parents to implement and administer the grant.

37-3 (f) A regional education service center may administer
 37-4 grants awarded under this section.

37-5 Sec. 29.026. RULES. The commissioner may adopt rules as
 37-6 necessary to implement this subchapter.

37-7 SECTION 4.25. The heading to Subchapter A-1, Chapter 29,
 37-8 Education Code, is amended to read as follows:

37-9 SUBCHAPTER A-1. PARENT-DIRECTED ~~[SUPPLEMENTAL SPECIAL EDUCATION]~~
 37-10 SERVICES FOR STUDENTS RECEIVING SPECIAL EDUCATION SERVICES
 37-11 [PROGRAM]

37-12 SECTION 4.26. Sections 29.041(2) and (3), Education Code,
 37-13 are amended to read as follows:

37-14 (2) "Supplemental ~~[special education]~~ instructional
 37-15 materials" includes textbooks, computer hardware or software,
 37-16 other technological devices, and other materials suitable for
 37-17 addressing an educational need of a student receiving special
 37-18 education services under Subchapter A.

37-19 (3) "Supplemental ~~[special education]~~ services" means
 37-20 an additive service that provides an educational benefit to a
 37-21 student receiving special education services under Subchapter A,
 37-22 including:

37-23 (A) occupational therapy, physical therapy, and
 37-24 speech therapy; and

37-25 (B) private tutoring and other supplemental
 37-26 private instruction or programs.

37-27 SECTION 4.27. Section 29.042, Education Code, is amended by
 37-28 amending Subsections (a) and (c) and adding Subsection (e) to read
 37-29 as follows:

37-30 (a) The agency by rule shall establish and administer a
 37-31 parent-directed ~~[supplemental special education services and~~
 37-32 instructional materials] program for students receiving special
 37-33 education services through which a parent may direct supplemental
 37-34 services and supplemental instructional materials for the parent's
 37-35 student ~~[students]~~ who meets ~~[meet]~~ the eligibility requirements
 37-36 for participation in the program. Subject to Subsection (c) and
 37-37 Section 48.306(f), the agency shall provide each student approved
 37-38 as provided by this subchapter a grant in the amount provided under
 37-39 Section 48.306 ~~[of not more than \$1,500]~~ to purchase supplemental
 37-40 ~~[special education]~~ services and supplemental ~~[special education]~~
 37-41 instructional materials. If the agency receives more acceptable
 37-42 applications for a grant for a school year than available funding
 37-43 for that school year, the agency shall award grants in the order in
 37-44 which the applications were received and place remaining students
 37-45 on a waitlist for the subsequent school year.

37-46 (c) A student may receive one grant under this subchapter
 37-47 unless the legislature appropriates money for an additional grant
 37-48 in the General Appropriations Act ~~[The commissioner shall set aside~~
 37-49 an amount set by appropriation for each state fiscal year to fund
 37-50 the program under this section. For each state fiscal year, the
 37-51 total amount provided for student grants under Subsection (a) may
 37-52 not exceed the amount set aside by the commissioner under this
 37-53 subsection].

37-54 (e) The agency shall maintain an online user-friendly
 37-55 application system for parents to apply for a grant described by
 37-56 Subsection (a).

37-57 SECTION 4.28. Section 29.045, Education Code, is amended to
 37-58 read as follows:

37-59 Sec. 29.045. APPROVAL OF APPLICATION; ASSIGNMENT OF
 37-60 ACCOUNT. The ~~[Subject to available funding the]~~ agency shall
 37-61 approve each student who meets the program eligibility criteria
 37-62 established under Section 29.044 and assign to the student an
 37-63 account maintained under Section 29.042(b). The account may only
 37-64 be used by the student's parent to purchase supplemental ~~[special~~
 37-65 education] services or supplemental ~~[special education]~~
 37-66 instructional materials for the student, subject to Sections 29.046
 37-67 and 29.047.

37-68 SECTION 4.29. Sections 29.046(a) and (b), Education Code,
 37-69 are amended to read as follows:

38-1 (a) Money in an account assigned to a student under Section
 38-2 29.045 may be used only for supplemental [~~special education~~]
 38-3 services and supplemental [~~special education~~] instructional
 38-4 materials.

38-5 (b) Supplemental [~~special education~~] services must be
 38-6 provided by an agency-approved provider.

38-7 SECTION 4.30. Sections 29.047(a), (c), (d), and (e),
 38-8 Education Code, are amended to read as follows:

38-9 (a) The agency shall establish criteria necessary for
 38-10 agency approval for each category of provider of a professional
 38-11 service that is a supplemental [~~special education~~] service, as
 38-12 identified by the agency.

38-13 (c) The agency shall provide a procedure for providers of
 38-14 supplemental [~~special education~~] services to apply to the agency to
 38-15 become an agency-approved provider.

38-16 (d) The agency may establish criteria for agency approval of
 38-17 vendors for each category of supplemental [~~special education~~]
 38-18 instructional materials identified by the agency.

38-19 (e) If the agency establishes criteria for agency approval
 38-20 for a vendor of a category of supplemental [~~special education~~]
 38-21 instructional materials, the agency shall provide a procedure for
 38-22 vendors of that category to apply to the agency to become an
 38-23 agency-approved vendor.

38-24 SECTION 4.31. Subchapter A-1, Chapter 29, Education Code,
 38-25 is amended by adding Section 29.0475 to read as follows:

38-26 Sec. 29.0475. PROGRAM PARTICIPANT, PROVIDER, AND VENDOR
 38-27 AUTONOMY. (a) A provider of supplemental services or vendor of
 38-28 supplemental instructional materials that receives money
 38-29 distributed under the program is not a recipient of federal
 38-30 financial assistance on the basis of receiving that money.

38-31 (b) A rule adopted or action taken related to the program by
 38-32 an individual, governmental entity, court of law, or program
 38-33 administrator may not:

38-34 (1) consider the actions of a provider of supplemental
 38-35 services, vendor of supplemental instructional materials, or
 38-36 program participant to be the actions of an agent of state
 38-37 government;

38-38 (2) limit:
 38-39 (A) a provider of supplemental services' ability
 38-40 to determine the methods used to educate the provider's students or
 38-41 to exercise the provider's religious or institutional values; or

38-42 (B) a program participant's ability to determine
 38-43 the participant's educational content or to exercise the
 38-44 participant's religious values;

38-45 (3) obligate a provider of supplemental services or
 38-46 program participant to act contrary to the provider's or
 38-47 participant's religious or institutional values, as applicable;

38-48 (4) impose any regulation on a provider of
 38-49 supplemental services, vendor of supplemental instructional
 38-50 materials, or program participant beyond those regulations
 38-51 necessary to enforce the requirements of the program; or

38-52 (5) require as a condition of receiving money
 38-53 distributed under the program:

38-54 (A) a provider of supplemental services to modify
 38-55 the provider's creed, practices, admissions policies, curriculum,
 38-56 performance standards, employment policies, or assessments; or

38-57 (B) a program participant to modify the
 38-58 participant's creed, practices, curriculum, performance standards,
 38-59 or assessments.

38-60 (c) In a proceeding challenging a rule adopted by a state
 38-61 agency or officer under this subchapter, the agency or officer has
 38-62 the burden of proof to establish by clear and convincing evidence
 38-63 that the rule:

38-64 (1) is necessary to implement or enforce the program
 38-65 as provided by this subchapter;

38-66 (2) does not violate this section;

38-67 (3) does not impose an undue burden on a program
 38-68 participant or a provider of supplemental services or vendor of
 38-69 supplemental instructional materials that participates or applies

39-1 to participate in the program; and
 39-2 (4) is the least restrictive means of accomplishing
 39-3 the purpose of the program while recognizing the independence of a
 39-4 provider of supplemental services to meet the educational needs of
 39-5 students in accordance with the provider's religious or
 39-6 institutional values.

39-7 SECTION 4.32. Section 29.048, Education Code, is amended to
 39-8 read as follows:

39-9 Sec. 29.048. ADMISSION, REVIEW, AND DISMISSAL COMMITTEE
 39-10 DUTIES. (a) A student's admission, review, and dismissal
 39-11 committee shall develop a student's individualized education
 39-12 program under Section 29.005, in compliance with the Individuals
 39-13 with Disabilities Education Act (20 U.S.C. Section 1400 et seq.),
 39-14 without consideration of any supplemental [~~special education~~]
 39-15 services or supplemental instructional materials that may be
 39-16 provided under the program under this subchapter.

39-17 (b) Unless the district first verifies that an account has
 39-18 been assigned to the student under Section 29.045, the [The]
 39-19 admission, review, and dismissal committee of a student approved
 39-20 for participation in the program shall provide to the student's
 39-21 parent at an admission, review, and dismissal committee meeting for
 39-22 the student:

39-23 (1) information regarding the types of supplemental
 39-24 [~~special education~~] services or supplemental instructional
 39-25 materials available under the program and provided by
 39-26 agency-approved providers for which an account maintained under
 39-27 Section 29.042(b) for the student may be used; and

39-28 (2) instructions regarding accessing an account
 39-29 described by Subdivision (1).

39-30 SECTION 4.33. Subchapter A-1, Chapter 29, Education Code,
 39-31 is amended by adding Section 29.0485 to read as follows:

39-32 Sec. 29.0485. DETERMINATION OF COMMISSIONER FINAL.
 39-33 Notwithstanding Section 7.057, a determination of the commissioner
 39-34 under this subchapter is final and may not be appealed.

39-35 SECTION 4.34. Section 29.049, Education Code, is amended to
 39-36 read as follows:

39-37 Sec. 29.049. RULES. The commissioner shall adopt rules as
 39-38 necessary to administer the supplemental [~~special education~~]
 39-39 services and supplemental instructional materials program under
 39-40 this subchapter.

39-41 SECTION 4.35. Section 29.301(1), Education Code, is amended
 39-42 to read as follows:

39-43 (1) "Admission, review, and dismissal committee"
 39-44 means the committee required by [~~State Board of Education rules to~~
 39-45 ~~develop the individualized education program required by~~] the
 39-46 Individuals with Disabilities Education Act (20 U.S.C. Section 1400
 39-47 et seq.) for any student needing special education.

39-48 SECTION 4.36. Sections 29.304(a) and (c), Education Code,
 39-49 are amended to read as follows:

39-50 (a) A student who is deaf or hard of hearing must have an
 39-51 education in which teachers, psychologists, speech language
 39-52 pathologists [~~therapists~~], progress assessors, administrators, and
 39-53 others involved in education understand the unique nature of
 39-54 deafness and the hard-of-hearing condition. A teacher of students
 39-55 who are deaf or hard of hearing either must be proficient in
 39-56 appropriate language modes or use an interpreter certified in
 39-57 appropriate language modes if certification is available.

39-58 (c) General [~~Regular~~] and special education personnel who
 39-59 work with students who are deaf or hard of hearing must be
 39-60 adequately prepared to provide educational instruction and
 39-61 services to those students.

39-62 SECTION 4.37. Section 29.310, Education Code, is amended by
 39-63 amending Subsection (c) and adding Subsection (d) to read as
 39-64 follows:

39-65 (c) The procedures and materials for the assessment and
 39-66 placement of a student who is deaf or hard of hearing shall be in the
 39-67 student's preferred mode of communication. All other procedures
 39-68 and materials used with any student who is deaf or hard of hearing
 39-69 and who is an emergent bilingual student as defined by Section

40-1 29.052 [~~has limited English proficiency~~] shall be in the student's
40-2 preferred mode of communication.

40-3 (d) In recognizing the need for development of language and
40-4 communication abilities in students who are deaf or hard of hearing
40-5 but also calling for the use of methods of communication that will
40-6 meet the needs of each individual student, each student who is deaf
40-7 or hard of hearing must be thoroughly assessed to ascertain the
40-8 student's potential for communicating through a variety of means.

40-9 SECTION 4.38. Section 29.313, Education Code, is amended to
40-10 read as follows:

40-11 Sec. 29.313. EVALUATION OF DEAF AND HARD OF HEARING
40-12 SERVICES [~~PROGRAMS~~]. (a) Each school district must provide
40-13 continuous evaluation of the effectiveness of the district's
40-14 services [~~programs of the district~~] for students who are deaf or
40-15 hard of hearing. The [~~If practicable,~~] evaluations shall follow
40-16 program excellence indicators established by the agency.

40-17 (b) Each school district shall submit the evaluations under
40-18 this section to the agency on a schedule set by the agency.

40-19 SECTION 4.39. Section 29.314, Education Code, is amended to
40-20 read as follows:

40-21 Sec. 29.314. TRANSITION INTO GENERAL EDUCATION [~~REGULAR~~]
40-22 CLASS. In addition to satisfying requirements of the admission,
40-23 review, and dismissal committee and to satisfying requirements
40-24 under state and federal law for vocational training, each school
40-25 district shall develop and implement a transition plan for the
40-26 transition of a student who is deaf or hard of hearing into a
40-27 general education [~~regular~~] class [~~program~~] if the student is to be
40-28 transferred from a special class or center or nonpublic,
40-29 nonsectarian school into a general education [~~regular~~] class in a
40-30 public school for any part of the school day. The transition plan
40-31 must provide for activities:

40-32 (1) to integrate the student into the general
40-33 [~~regular~~] education program and specify the nature of each activity
40-34 and the time spent on the activity each day; and

40-35 (2) to support the transition of the student from the
40-36 special education program into the general [~~regular~~] education
40-37 program.

40-38 SECTION 4.40. Section 29.315, Education Code, is amended to
40-39 read as follows:

40-40 Sec. 29.315. TEXAS SCHOOL FOR THE DEAF MEMORANDUM OF
40-41 UNDERSTANDING. The Texas Education Agency and the Texas School for
40-42 the Deaf shall develop[, ~~agree to, and by commissioner rule adopt no~~
40-43 ~~later than September 1, 1998,~~] a memorandum of understanding to
40-44 establish:

40-45 (1) the method for developing and reevaluating a set
40-46 of indicators of the quality of learning at the Texas School for the
40-47 Deaf;

40-48 (2) the process for the agency to conduct and report on
40-49 an annual evaluation of the school's performance on the indicators;

40-50 (3) the requirements for the school's board to
40-51 publish, discuss, and disseminate an annual report describing the
40-52 educational performance of the school; and

40-53 (4) [~~the process for the agency to assign an~~
40-54 ~~accreditation status to the school, to reevaluate the status on an~~
40-55 ~~annual basis, and, if necessary, to conduct monitoring reviews, and~~

40-56 [~~5~~] the type of information the school shall be
40-57 required to provide through the Public Education Information
40-58 Management System (PEIMS).

40-59 SECTION 4.41. Section 29.316, Education Code, is amended to
40-60 read as follows:

40-61 Sec. 29.316. LANGUAGE ACQUISITION. (a) In this section,
40-62 "language"~~+~~

40-63 [~~(1) "Center" means the Educational Resource Center on~~
40-64 ~~Deafness at the Texas School for the Deaf.~~

40-65 [~~(2) "Division" means the Division for Early Childhood~~
40-66 ~~Intervention Services of the Health and Human Services Commission.~~

40-67 [~~(3) "Language~~] acquisition" includes expressive and
40-68 receptive language acquisition and literacy development in
40-69 English, American Sign Language, or both, or, if applicable, in

41-1 another language primarily used by a child's parent or guardian,
 41-2 and is separate from any modality used to communicate in the
 41-3 applicable language or languages.

41-4 (b) Each school district [~~The commissioner and the~~
 41-5 ~~executive commissioner of the Health and Human Services Commission~~
 41-6 ~~jointly~~] shall ensure that the language acquisition of each child
 41-7 eight years of age or younger who is deaf or hard of hearing is
 41-8 regularly assessed using a tool or assessment approved by the
 41-9 commissioner [~~determined to be valid and reliable as provided by~~
 41-10 Subsection (d)].

41-11 (c) On a schedule determined by the commissioner, each
 41-12 school district shall report to the commissioner through the Public
 41-13 Education Information Management System (PEIMS) or another method
 41-14 set by commissioner rule the assessment data collected under
 41-15 Subsection (b) [~~Not later than August 31 of each year, the agency,~~
 41-16 ~~the division, and the center jointly shall prepare and post on the~~
 41-17 ~~agency's, the division's, and the center's respective Internet~~
 41-18 ~~websites a report on the language acquisition of children eight~~
 41-19 ~~years of age or younger who are deaf or hard of hearing. The report~~
 41-20 ~~must:~~

41-21 [~~(1) include:~~

41-22 [~~(A) existing data reported in compliance with~~
 41-23 ~~federal law regarding children with disabilities; and~~

41-24 [~~(B) information relating to the language~~
 41-25 ~~acquisition of children who are deaf or hard of hearing and also~~
 41-26 ~~have other disabilities;~~

41-27 [~~(2) state for each child:~~

41-28 [~~(A) the instructional arrangement used with the~~
 41-29 ~~child, as described by Section 48.102, including the time the child~~
 41-30 ~~spends in a mainstream instructional arrangement;~~

41-31 [~~(B) the specific language acquisition services~~
 41-32 ~~provided to the child, including:~~

41-33 [~~(i) the time spent providing those~~
 41-34 ~~services; and~~

41-35 [~~(ii) a description of any hearing~~
 41-36 ~~amplification used in the delivery of those services, including:~~

41-37 [~~(a) the type of hearing~~
 41-38 ~~amplification used;~~

41-39 [~~(b) the period of time in which the~~
 41-40 ~~child has had access to the hearing amplification; and~~

41-41 [~~(c) the average amount of time the~~
 41-42 ~~child uses the hearing amplification each day;~~

41-43 [~~(C) the tools or assessments used to assess the~~
 41-44 ~~child's language acquisition and the results obtained;~~

41-45 [~~(D) the preferred unique communication mode~~
 41-46 ~~used by the child at home; and~~

41-47 [~~(E) the child's age, race, and gender, the age~~
 41-48 ~~at which the child was identified as being deaf or hard of hearing,~~
 41-49 ~~and any other relevant demographic information the commissioner~~
 41-50 ~~determines to likely be correlated with or have an impact on the~~
 41-51 ~~child's language acquisition;~~

41-52 [~~(3) compare progress in English literacy made by~~
 41-53 ~~children who are deaf or hard of hearing to progress in that subject~~
 41-54 ~~made by children of the same age who are not deaf or hard of hearing,~~
 41-55 ~~by appropriate age range; and~~

41-56 [~~(4) be redacted as necessary to comply with state and~~
 41-57 ~~federal law regarding the confidentiality of student medical or~~
 41-58 ~~educational information].~~

41-59 (d) The commissioner [~~, the executive commissioner of the~~
 41-60 ~~Health and Human Services Commission, and the center~~] shall adopt
 41-61 rules establishing the assessment data required to be reported
 41-62 under Subsection (c) [~~enter into a memorandum of understanding~~
 41-63 ~~regarding:~~

41-64 [~~(1) the identification of experts in deaf education;~~
 41-65 ~~and~~

41-66 [~~(2) the determination, in consultation with those~~
 41-67 ~~experts, of the tools and assessments that are valid and reliable,~~
 41-68 ~~in both content and administration, for use in assessing the~~
 41-69 ~~language acquisition of children eight years of age or younger who~~

42-1 ~~are deaf or hard of hearing].~~

42-2 (e) The commissioner shall annually post on the agency's
 42-3 Internet website a report on the language acquisition of children
 42-4 eight years of age or younger who are deaf or hard of hearing using
 42-5 the assessment data reported under Subsection (c) [agency shall use
 42-6 existing collected data and data collected and transferred from the
 42-7 Department of State Health Services and the Health and Human
 42-8 Services Commission, as agreed upon in the memorandum of
 42-9 understanding, for the report under this section].

42-10 (f) The commissioner shall use the assessment data reported
 42-11 under Subsection (c) in determining whether to award a grant under
 42-12 Section 29.018 or in seeking federal money available for projects
 42-13 aimed at improving outcomes for students with disabilities [and the
 42-14 executive commissioner of the Health and Human Services Commission
 42-15 jointly shall adopt rules as necessary to implement this section,
 42-16 including rules for:

42-17 ~~[(1) assigning each child eight years of age or~~
 42-18 ~~younger who is deaf or hard of hearing a unique identification~~
 42-19 ~~number for purposes of the report required under Subsection (c) and~~
 42-20 ~~to enable the tracking of the child's language acquisition, and~~
 42-21 ~~factors affecting the child's language acquisition, over time, and~~

42-22 ~~[(2) implementing this section in a manner that~~
 42-23 ~~complies with federal law regarding confidentiality of student~~
 42-24 ~~medical or educational information, including the Health Insurance~~
 42-25 ~~Portability and Accountability Act of 1996 (42 U.S.C. Section 1320d~~
 42-26 ~~et seq.) and the Family Educational Rights and Privacy Act of 1974~~
 42-27 ~~(20 U.S.C. Section 1232g), and any state law relating to the privacy~~
 42-28 ~~of student information].~~

42-29 SECTION 4.42. The heading to Section 30.002, Education
 42-30 Code, is amended to read as follows:

42-31 Sec. 30.002. STATE PLAN [EDUCATION] FOR CHILDREN WITH
 42-32 VISUAL IMPAIRMENTS, WHO ARE DEAF OR HARD OF HEARING, OR WHO ARE
 42-33 DEAF-BLIND.

42-34 SECTION 4.43. Sections 30.002(a), (b), (c), and (e),
 42-35 Education Code, are amended to read as follows:

42-36 (a) The agency shall develop and administer a comprehensive
 42-37 statewide plan for the education of children [with visual
 42-38 impairments] who are under 22 [21] years of age and who have visual
 42-39 impairments, are deaf or hard of hearing, or are deaf-blind that
 42-40 will ensure that the children have an opportunity for achievement
 42-41 equal to the opportunities afforded their peers who do not have
 42-42 visual impairments, are not deaf or hard of hearing, or are not
 42-43 deaf-blind [with normal vision].

42-44 (b) The agency shall:

42-45 (1) develop standards and guidelines for all special
 42-46 education and related services for children who have visual
 42-47 impairments, are deaf or hard of hearing, or are deaf-blind [with
 42-48 visual impairments] that it is authorized to provide or support
 42-49 under this code and federal law;

42-50 (2) supervise regional education service centers and
 42-51 other entities in assisting school districts in serving children
 42-52 who have visual impairments, are deaf or hard of hearing, or are
 42-53 deaf-blind [with visual impairments] more effectively; and

42-54 (3) ~~[develop and administer special education~~
 42-55 ~~services for students with both serious visual and auditory~~
 42-56 ~~impairments;~~

42-57 ~~[(4) evaluate special education services provided for~~
 42-58 ~~children with visual impairments by school districts and approve or~~
 42-59 ~~disapprove state funding of those services; and~~

42-60 ~~[(5)] maintain an effective liaison between special~~
 42-61 ~~education programs provided for children who have visual~~
 42-62 ~~impairments, are deaf or hard of hearing, or are deaf-blind [with~~
 42-63 ~~visual impairments] by school districts and related initiatives of~~
 42-64 ~~the Health and Human Services Commission, [the Department of State~~
 42-65 ~~Health Services Mental Health and Substance Abuse Division,] the~~
 42-66 ~~Texas Workforce Commission, and other related programs, agencies,~~
 42-67 ~~or facilities as appropriate.~~

42-68 (c) The comprehensive statewide plan for the education of
 42-69 children who have visual impairments, are deaf or hard of hearing,

43-1 or are deaf-blind [with visual impairments] must:

43-2 (1) adequately provide for comprehensive diagnosis
43-3 and evaluation of each school-age child who has a visual
43-4 impairment, is deaf or hard of hearing, or is deaf-blind and
43-5 adequately outline the expectations of a school district for such a
43-6 child under three years of age [with a serious visual impairment];

43-7 (2) include the procedures, format, and content of the
43-8 individualized education program for each child who has a visual
43-9 impairment, is deaf or hard of hearing, or is deaf-blind [with a
43-10 visual impairment];

43-11 (3) emphasize providing educational services to
43-12 children who have visual impairments, are deaf or hard of hearing,
43-13 or are deaf-blind [with visual impairments] in their home
43-14 communities whenever possible;

43-15 (4) include information regarding the establishment
43-16 of regional day school programs for the deaf under Subchapter D and
43-17 the parameters of those programs [methods to ensure that children
43-18 with visual impairments receiving special education services in
43-19 school districts receive, before being placed in a classroom
43-20 setting or within a reasonable time after placement:

43-21 [~~(A) evaluation of the impairment; and~~

43-22 [~~(B) instruction in an expanded core curriculum,~~
43-23 ~~which is required for students with visual impairments to succeed~~
43-24 ~~in classroom settings and to derive lasting, practical benefits~~
43-25 ~~from the education provided by school districts, including~~
43-26 ~~instruction in:~~

43-27 [~~(i) compensatory skills, such as braille~~
43-28 ~~and concept development, and other skills needed to access the rest~~
43-29 ~~of the curriculum;~~

43-30 [~~(ii) orientation and mobility;~~

43-31 [~~(iii) social interaction skills;~~

43-32 [~~(iv) career planning;~~

43-33 [~~(v) assistive technology, including~~
43-34 ~~optical devices;~~

43-35 [~~(vi) independent living skills;~~

43-36 [~~(vii) recreation and leisure enjoyment;~~

43-37 [~~(viii) self-determination; and~~

43-38 [~~(ix) sensory efficiency];~~

43-39 (5) provide for flexibility on the part of school
43-40 districts to meet the unique [special] needs of children who have
43-41 visual impairments, are deaf or hard of hearing, or are deaf-blind
43-42 [with visual impairments] through:

43-43 (A) specialty staff and resources provided by the
43-44 district;

43-45 (B) contractual arrangements with other
43-46 qualified public or private agencies;

43-47 (C) supportive assistance from regional
43-48 education service centers or adjacent school districts;

43-49 (D) short-term or long-term services through the
43-50 Texas School for the Blind and Visually Impaired, the Texas School
43-51 for the Deaf, regional day school programs for the deaf, or related
43-52 facilities or programs; or

43-53 (E) other instructional and service arrangements
43-54 approved by the agency;

43-55 (6) [~~include a statewide admission, review, and~~
43-56 ~~dismissal process;~~

43-57 [~~(7)] provide for effective interaction between the~~
43-58 ~~[visually impaired child's] classroom setting of the child who has~~
43-59 ~~a visual impairment, is deaf or hard of hearing, or is deaf-blind~~
43-60 ~~and the child's home environment, including providing for parental~~
43-61 ~~training and counseling either by school district staff or by~~
43-62 ~~representatives of other organizations directly involved in the~~
43-63 ~~development and implementation of the individualized education~~
43-64 ~~program for the child;~~

43-65 (7) describe recommended and required professional
43-66 development activities based on the special education and related
43-67 services provided by school district staff to children who have
43-68 visual impairments, are deaf or hard of hearing, or are deaf-blind
43-69 [~~(8) require the continuing education and professional~~

44-1 ~~development of school district staff providing special education~~
 44-2 ~~services to children with visual impairments];~~

44-3 (8) [(9)] provide for adequate monitoring and precise
 44-4 evaluation of special education services provided to children who
 44-5 have visual impairments, are deaf or hard of hearing, or are
 44-6 deaf-blind [with visual impairments] through school districts;
 44-7 [and]

44-8 (9) [(10)] require that school districts providing
 44-9 special education services to children who have visual impairments,
 44-10 are deaf or hard of hearing, or are deaf-blind [with visual
 44-11 impairments] develop procedures for assuring that staff assigned to
 44-12 work with the children have prompt and effective access directly to
 44-13 resources available through:

44-14 (A) cooperating agencies in the area;
 44-15 (B) the Texas School for the Blind and Visually
 44-16 Impaired;
 44-17 (C) the Texas School for the Deaf;
 44-18 (D) the statewide outreach center at the Texas
 44-19 School for the Deaf;

44-20 (E) the Central Media Depository for specialized
 44-21 instructional materials and aids made specifically for use by
 44-22 students with visual impairments;

44-23 (F) ~~[(D)]~~ sheltered workshops participating in
 44-24 the state program of purchases of blind-made goods and services;
 44-25 and

44-26 (G) ~~[(E)]~~ related sources; and
 44-27 (10) assist in the coordination of educational
 44-28 programs with other public and private agencies, including:

44-29 (A) agencies operating early childhood
 44-30 intervention programs;

44-31 (B) preschools;
 44-32 (C) agencies operating child development
 44-33 programs;

44-34 (D) private nonsectarian schools;
 44-35 (E) agencies operating regional occupational
 44-36 centers and programs; and

44-37 (F) as appropriate, postsecondary and adult
 44-38 programs for persons who are deaf or hard of hearing.

44-39 (e) Each eligible [blind or visually impaired] student who
 44-40 has a visual impairment, is deaf or hard of hearing, or is
 44-41 deaf-blind is entitled to receive educational programs according to
 44-42 an individualized education program that:

44-43 (1) is developed in accordance with federal and state
 44-44 requirements for providing special education services;

44-45 (2) is developed by a committee composed as required
 44-46 by federal law;

44-47 (3) reflects that the student has been provided a
 44-48 detailed explanation of the various service resources available to
 44-49 the student in the community and throughout the state;

44-50 (4) provides a detailed description of the
 44-51 arrangements made to provide the student with the evaluation and
 44-52 instruction required under this subchapter and Subchapter A,
 44-53 Chapter 29 [Subsection (c)(4)]; and

44-54 (5) sets forth the plans and arrangements made for
 44-55 contacts with and continuing services to the student beyond regular
 44-56 school hours to ensure the student learns the skills and receives
 44-57 the instruction required under this subchapter and Subchapter A,
 44-58 Chapter 29 [Subsection (c)(4)(B)].

44-59 SECTION 4.44. Subchapter A, Chapter 30, Education Code, is
 44-60 amended by adding Section 30.0021 to read as follows:

44-61 Sec. 30.0021. REQUIREMENTS FOR CHILDREN WITH VISUAL
 44-62 IMPAIRMENTS. (a) Each child with a visual impairment must receive
 44-63 instruction in an expanded core curriculum required for children
 44-64 with visual impairments to succeed in classroom settings and to
 44-65 derive lasting, practical benefits from education in a school
 44-66 district, including instruction in:

44-67 (1) compensatory skills, such as braille and concept
 44-68 development, and other skills necessary to access the rest of the
 44-69 curriculum;

- 45-1 (2) orientation and mobility;
 45-2 (3) social interaction skills;
 45-3 (4) career education;
 45-4 (5) assistive technology, including optical devices;
 45-5 (6) independent living skills;
 45-6 (7) recreation and leisure enjoyment;
 45-7 (8) self-determination; and
 45-8 (9) sensory efficiency.

45-9 (b) To determine a child's eligibility for a school
 45-10 district's special education program under Subchapter A, Chapter
 45-11 29, on the basis of a visual impairment, the full individual and
 45-12 initial evaluation of the child under Section 29.004 and any
 45-13 reevaluation of the child must, in accordance with commissioner
 45-14 rule:

45-15 (1) include an orientation and mobility evaluation
 45-16 conducted:

45-17 (A) by a person who is appropriately certified as
 45-18 an orientation and mobility specialist, as determined by
 45-19 commissioner rule; and

45-20 (B) in a variety of lighting conditions and
 45-21 settings, including in the child's home, school, and community and
 45-22 in settings unfamiliar to the child; and

45-23 (2) provide for a person who is appropriately
 45-24 certified as an orientation and mobility specialist, as determined
 45-25 by commissioner rule, to participate, as part of a
 45-26 multidisciplinary team, in evaluating the data on which the
 45-27 determination of the child's eligibility is based.

45-28 (c) In developing an individualized education program under
 45-29 Section 29.005 for a child with a visual impairment, proficiency in
 45-30 reading and writing must be a significant indicator of the child's
 45-31 satisfactory educational progress. The individualized education
 45-32 program must include instruction in braille and the use of braille
 45-33 unless the child's admission, review, and dismissal committee
 45-34 documents a determination, based on an evaluation of the child's
 45-35 appropriate literacy media and literacy skills and the child's
 45-36 current and future instructional needs, that braille is not an
 45-37 appropriate literacy medium for the child.

45-38 (d) Braille instruction:

45-39 (1) may be used in combination with other special
 45-40 education services appropriate to the educational needs of a child
 45-41 with a visual impairment; and

45-42 (2) must be provided by a teacher certified to teach
 45-43 children with visual impairments under Subchapter B, Chapter 21.

45-44 (e) A school district shall provide to each person assisting
 45-45 in the development of an individualized education program for a
 45-46 child with a visual impairment information describing the benefits
 45-47 of braille instruction.

45-48 (f) To facilitate implementation of this section, the
 45-49 commissioner shall develop a system to distribute from the
 45-50 foundation school fund to school districts or regional education
 45-51 service centers a special supplemental allowance for each student
 45-52 with a visual impairment. The supplemental allowance may be spent
 45-53 only for special education services uniquely required by the nature
 45-54 of the child's disabilities and may not be used in lieu of
 45-55 educational funds otherwise available under this code or through
 45-56 state or local appropriations.

45-57 SECTION 4.45. Section 30.003, Education Code, is amended by
 45-58 amending Subsections (b), (d), (f-1), and (g) and adding Subsection
 45-59 (b-1) to read as follows:

45-60 (b) If the student is admitted to the school for a full-time
 45-61 program for the equivalent of two long semesters, the district's
 45-62 share of the cost is an amount equal to the dollar amount of
 45-63 maintenance and debt service taxes imposed by the district for that
 45-64 year, subject to Subsection (b-1), divided by the district's
 45-65 average daily attendance for the preceding year.

45-66 (b-1) The commissioner shall reduce the amount of
 45-67 maintenance taxes imposed by the district that are obligated to be
 45-68 paid under Subsection (b) for a year by the amount, if any, by which
 45-69 the district is required to reduce the district's local revenue

46-1 level under Section 48.257 for that year.

46-2 (d) Each school district and state institution shall
 46-3 provide to the commissioner the necessary information to determine
 46-4 the district's share under this section. The information must be
 46-5 reported to the commissioner on or before a date set by commissioner
 46-6 ~~rule [of the State Board of Education]~~. After determining the
 46-7 amount of a district's share for all students for which the district
 46-8 is responsible, the commissioner shall deduct that amount from the
 46-9 payments of foundation school funds payable to the district. Each
 46-10 deduction shall be in the same percentage of the total amount of the
 46-11 district's share as the percentage of the total foundation school
 46-12 fund entitlement being paid to the district at the time of the
 46-13 deduction, except that the amount of any deduction may be modified
 46-14 to make necessary adjustments or to correct errors. The
 46-15 commissioner shall provide for remitting the amount deducted to the
 46-16 appropriate school at the same time at which the remaining funds are
 46-17 distributed to the district. If a district does not receive
 46-18 foundation school funds or if a district's foundation school
 46-19 entitlement is less than the amount of the district's share under
 46-20 this section, the commissioner shall direct the district to remit
 46-21 payment to the commissioner, and the commissioner shall remit the
 46-22 district's share to the appropriate school.

46-23 (f-1) The commissioner shall determine the total amount
 46-24 that the Texas School for the Blind and Visually Impaired and the
 46-25 Texas School for the Deaf would have received from school districts
 46-26 in accordance with this section if the following provisions had not
 46-27 reduced the districts' share of the cost of providing education
 46-28 services:

46-29 (1) H.B. No. 1, Acts of the 79th Legislature, 3rd
 46-30 Called Session, 2006;

46-31 (2) Subsection (b-1) of this section;

46-32 (3) Section 45.0032;

46-33 (4) ~~[(3)]~~ Section 48.255; and

46-34 (5) ~~[(4)]~~ Section 48.2551.

46-35 (g) The commissioner ~~[State Board of Education]~~ may adopt
 46-36 rules as necessary to implement this section.

46-37 SECTION 4.46. Section 30.004(b), Education Code, is amended
 46-38 to read as follows:

46-39 (b) The commissioner ~~[State Board of Education]~~ shall adopt
 46-40 rules prescribing the form and content of information required by
 46-41 Subsection (a).

46-42 SECTION 4.47. Section 30.005, Education Code, is amended to
 46-43 read as follows:

46-44 Sec. 30.005. TEXAS SCHOOL FOR THE BLIND AND VISUALLY
 46-45 IMPAIRED MEMORANDUM OF UNDERSTANDING. The Texas Education Agency
 46-46 and the Texas School for the Blind and Visually Impaired shall
 46-47 develop~~[, agree to, and by commissioner rule adopt]~~ a memorandum of
 46-48 understanding to establish:

46-49 (1) the method for developing and reevaluating a set
 46-50 of indicators of the quality of learning at the Texas School for the
 46-51 Blind and Visually Impaired;

46-52 (2) the process for the agency to conduct and report on
 46-53 an annual evaluation of the school's performance on the indicators;

46-54 (3) the requirements for the school's board to
 46-55 publish, discuss, and disseminate an annual report describing the
 46-56 educational performance of the school; and

46-57 (4) ~~[the process for the agency to:~~

46-58 ~~[(A) assign an accreditation status to the~~
 46-59 ~~school,~~

46-60 ~~[(B) reevaluate the status on an annual basis,~~
 46-61 ~~and~~

46-62 ~~[(C) if necessary, conduct monitoring reviews,~~
 46-63 ~~and~~

46-64 ~~[(5)]~~ the type of information the school shall be
 46-65 required to provide through the Public Education Information
 46-66 Management System (PEIMS).

46-67 SECTION 4.48. Section 30.021(e), Education Code, is amended
 46-68 to read as follows:

46-69 (e) The school shall cooperate with public and private

47-1 agencies and organizations serving students and other persons with
 47-2 visual impairments in the planning, development, and
 47-3 implementation of effective educational and rehabilitative service
 47-4 delivery systems associated with educating students with visual
 47-5 impairments. To maximize and make efficient use of state
 47-6 facilities, funding, and resources, the services provided in this
 47-7 area may include conducting a cooperative program with other
 47-8 agencies to serve students who have graduated from high school by
 47-9 completing all academic requirements applicable to students in
 47-10 general ~~regular~~ education, excluding satisfactory performance
 47-11 under Section 39.025, who are younger than 22 years of age on
 47-12 September 1 of the school year and who have identified needs related
 47-13 to vocational training, independent living skills, orientation and
 47-14 mobility, social and leisure skills, compensatory skills, or
 47-15 remedial academic skills.

47-16 SECTION 4.49. Section 30.081, Education Code, is amended to
 47-17 read as follows:

47-18 Sec. 30.081. LEGISLATIVE INTENT CONCERNING REGIONAL DAY
 47-19 SCHOOLS FOR THE DEAF. The legislature, by this subchapter, intends
 47-20 to continue a process of providing on a statewide basis a suitable
 47-21 education to deaf or hard of hearing students who are under 22 ~~[21]~~
 47-22 years of age and assuring that those students have the opportunity
 47-23 to become independent citizens.

47-24 SECTION 4.50. Section 30.083, Education Code, is amended to
 47-25 read as follows:

47-26 Sec. 30.083. STATEWIDE PLAN. ~~[(a)]~~ The director of
 47-27 services shall develop and administer a comprehensive statewide
 47-28 plan for educational services for students who are deaf or hard of
 47-29 hearing and receive special education and related services through
 47-30 a regional day school program for the deaf ~~[, including continuing
 47-31 diagnosis and evaluation, counseling, and teaching]~~. The plan
 47-32 shall be included as part of the comprehensive statewide plan under
 47-33 Section 30.002 ~~[designed to accomplish the following objectives:~~

47-34 ~~[(1) providing assistance and counseling to parents of
 47-35 students who are deaf or hard of hearing in regional day school
 47-36 programs for the deaf and admitting to the programs students who
 47-37 have a hearing loss that interferes with the processing of
 47-38 linguistic information;~~

47-39 ~~[(2) enabling students who are deaf or hard of hearing
 47-40 to reside with their parents or guardians and be provided an
 47-41 appropriate education in their home school districts or in regional
 47-42 day school programs for the deaf;~~

47-43 ~~[(3) enabling students who are deaf or hard of hearing
 47-44 who are unable to attend schools at their place of residence and
 47-45 whose parents or guardians live too far from facilities of regional
 47-46 day school programs for the deaf for daily commuting to be
 47-47 accommodated in foster homes or other residential school facilities
 47-48 provided for by the agency so that those children may attend a
 47-49 regional day school program for the deaf;~~

47-50 ~~[(4) enrolling in the Texas School for the Deaf those
 47-51 students who are deaf or hard of hearing whose needs can best be met
 47-52 in that school and designating the Texas School for the Deaf as the
 47-53 statewide educational resource for students who are deaf or hard of
 47-54 hearing;~~

47-55 ~~[(5) encouraging students in regional day school
 47-56 programs for the deaf to attend general education classes on a
 47-57 part-time, full-time, or trial basis; and~~

47-58 ~~[(6) recognizing the need for development of language
 47-59 and communications abilities in students who are deaf or hard of
 47-60 hearing, but also calling for the use of methods of communication
 47-61 that will meet the needs of each individual student, with each
 47-62 student assessed thoroughly so as to ascertain the student's
 47-63 potential for communications through a variety of means, including
 47-64 through oral or aural means, fingerspelling, or sign language].~~

47-65 ~~[(b) The director of services may establish separate
 47-66 programs to accommodate diverse communication methodologies.]~~

47-67 SECTION 4.51. Section 37.146(a), Education Code, is amended
 47-68 to read as follows:

47-69 (a) A complaint alleging the commission of a school offense

48-1 must, in addition to the requirements imposed by Article 45A.101,
48-2 Code of Criminal Procedure:

48-3 (1) be sworn to by a person who has personal knowledge
48-4 of the underlying facts giving rise to probable cause to believe
48-5 that an offense has been committed; and

48-6 (2) be accompanied by a statement from a school
48-7 employee stating:

48-8 (A) whether the child is eligible for or receives
48-9 special education services under Subchapter A, Chapter 29; and

48-10 (B) the graduated sanctions, if required under
48-11 Section 37.144, that were imposed on the child before the complaint
48-12 was filed.

48-13 SECTION 4.52. Section 38.003(c-1), Education Code, is
48-14 amended to read as follows:

48-15 (c-1) The agency by rule shall develop procedures designed
48-16 to allow the agency to:

48-17 (1) effectively audit and monitor and periodically
48-18 conduct site visits of all school districts to ensure that
48-19 districts are complying with this section, including the program
48-20 approved by the State Board of Education under this section;

48-21 (2) identify any problems school districts experience
48-22 in complying with this section, including the program approved by
48-23 the State Board of Education under this section;

48-24 (3) develop reasonable and appropriate remedial
48-25 strategies to address school district noncompliance and ensure the
48-26 purposes of this section are accomplished, which may include the
48-27 publication of a recommended evidence-based dyslexia program list;
48-28 [~~and~~]

48-29 (4) solicit input from parents of students enrolled in
48-30 a school district during the auditing and monitoring of the
48-31 district under Subdivision (1) regarding the district's
48-32 implementation of the program approved by the State Board of
48-33 Education under this section; and

48-34 (5) engage in general supervision activities,
48-35 including activities under the comprehensive system for monitoring
48-36 described by Section 29.010, to ensure school district compliance
48-37 with the program approved by the State Board of Education under this
48-38 section and Part B, Individuals with Disabilities Education Act (20
48-39 U.S.C. Section 1411 et seq.).

48-40 SECTION 4.53. Section 48.009(b), Education Code, is amended
48-41 to read as follows:

48-42 (b) The commissioner by rule shall require each school
48-43 district and open-enrollment charter school to report through the
48-44 Public Education Information Management System information
48-45 regarding:

48-46 (1) the number of students enrolled in the district or
48-47 school who are identified as having dyslexia;

48-48 (2) the availability of school counselors, including
48-49 the number of full-time equivalent school counselors, at each
48-50 campus;

48-51 (3) the availability of expanded learning
48-52 opportunities as described by Section 33.252 at each campus;

48-53 (4) the total number of students, other than students
48-54 described by Subdivision (5), enrolled in the district or school
48-55 with whom the district or school, as applicable, used intervention
48-56 strategies, as that term is defined by Section 26.004, at any time
48-57 during the year for which the report is made;

48-58 (5) the total number of students enrolled in the
48-59 district or school to whom the district or school provided aids,
48-60 accommodations, or services under Section 504, Rehabilitation Act
48-61 of 1973 (29 U.S.C. Section 794), at any time during the year for
48-62 which the report is made;

48-63 (6) disaggregated by campus and grade, the number of:

48-64 (A) children who are required to attend school
48-65 under Section 25.085, are not exempted under Section 25.086, and
48-66 fail to attend school without excuse for 10 or more days or parts of
48-67 days within a six-month period in the same school year;

48-68 (B) students for whom the district initiates a
48-69 truancy prevention measure under Section 25.0915(a-4); and

(C) parents of students against whom an attendance officer or other appropriate school official has filed a complaint under Section 25.093; ~~and~~

(7) the number of students who are enrolled in a high school equivalency program, a dropout recovery school, or an adult education program provided under a high school diploma and industry certification charter school program provided by the district or school and who:

(A) are at least 18 years of age and under 26 years of age;

(B) have not previously been reported to the agency as dropouts; and

(C) enroll in the program at the district or school after not attending school for a period of at least nine months; and

(8) students enrolled in a special education program under Subchapter A, Chapter 29, as necessary for the agency to adequately perform general supervision activities and determine funding under Sections 48.102 and 48.1021.

SECTION 4.54. Section 48.102, Education Code, is amended to read as follows:

Sec. 48.102. SPECIAL EDUCATION. (a) For each student in average daily attendance in a special education program under Subchapter A, Chapter 29, ~~[in a mainstream instructional arrangement,]~~ a school district is entitled to an annual allotment equal to the basic allotment, or, if applicable, the sum of the basic allotment and the allotment under Section 48.101 to which the district is entitled, multiplied by a weight in an amount set by the legislature in the General Appropriations Act for the highest tier of intensity of service for which the student qualifies [1.15].

~~(a-1) Notwithstanding Subsection (a), for the 2026-2027 school year, the amount of an allotment under this section shall be determined in accordance with Section 48.1022. This subsection expires September 1, 2027. [For each full-time equivalent student in average daily attendance in a special education program under Subchapter A, Chapter 29, in an instructional arrangement other than a mainstream instructional arrangement, a district is entitled to an annual allotment equal to the basic allotment, or, if applicable, the sum of the basic allotment and the allotment under Section 48.101 to which the district is entitled, multiplied by a weight determined according to instructional arrangement as follows:~~

[Homebound	5.0
[Hospital class	3.0
[Speech therapy	5.0
[Resource room	3.0
[Self-contained, mild and moderate, regular campus	3.0
[Self-contained, severe, regular campus	3.0
[Off home campus	2.7
[Nonpublic day school	1.7
[Vocational adjustment class	2.3]

(b) The commissioner by rule shall define eight tiers of intensity of service for use in determining funding under this section. The commissioner must include one tier specifically addressing students receiving special education services in residential placement and one tier for students receiving only speech therapy [A special instructional arrangement for students with disabilities residing in care and treatment facilities, other than state schools, whose parents or guardians do not reside in the district providing education services shall be established by commissioner rule. The funding weight for this arrangement shall be 4.0 for those students who receive their education service on a local school district campus. A special instructional arrangement for students with disabilities residing in state schools shall be established by commissioner rule with a funding weight of 2.8].

(c) In defining the tiers of intensity of service under Subsection (b), the commissioner shall consider:

(1) the type, frequency, and nature of services provided to a student;

50-1 (2) the required certifications, licensures, or other
 50-2 qualifications for personnel serving the student;

50-3 (3) any identified or curriculum-required
 50-4 provider-to-student ratios for the student to receive the
 50-5 appropriate services; and

50-6 (4) any equipment or technology required for the
 50-7 services [~~For funding purposes, the number of contact hours~~
 50-8 ~~credited per day for each student in the off home campus~~
 50-9 ~~instructional arrangement may not exceed the contact hours credited~~
 50-10 ~~per day for the multidistrict class instructional arrangement in~~
 50-11 ~~the 1992-1993 school year].~~

50-12 ~~(d) [For funding purposes the contact hours credited per day~~
 50-13 ~~for each student in the resource room, self-contained, mild and~~
 50-14 ~~moderate, and self-contained, severe, instructional arrangements~~
 50-15 ~~may not exceed the average of the statewide total contact hours~~
 50-16 ~~credited per day for those three instructional arrangements in the~~
 50-17 ~~1992-1993 school year.~~

50-18 ~~[(e) The commissioner by rule shall prescribe the~~
 50-19 ~~qualifications an instructional arrangement must meet in order to~~
 50-20 ~~be funded as a particular instructional arrangement under this~~
 50-21 ~~section. In prescribing the qualifications that a mainstream~~
 50-22 ~~instructional arrangement must meet, the commissioner shall~~
 50-23 ~~establish requirements that students with disabilities and their~~
 50-24 ~~teachers receive the direct, indirect, and support services that~~
 50-25 ~~are necessary to enrich the regular classroom and enable student~~
 50-26 ~~success.~~

50-27 ~~[(f) In this section, "full-time equivalent student" means~~
 50-28 ~~30 hours of contact a week between a special education student and~~
 50-29 ~~special education program personnel.~~

50-30 ~~[(g) The commissioner shall adopt rules and procedures~~
 50-31 ~~governing contracts for residential placement of special education~~
 50-32 ~~students. The legislature shall provide by appropriation for the~~
 50-33 ~~state's share of the costs of those placements.~~

50-34 ~~[(h)] At least 55 percent of the funds allocated under this~~
 50-35 ~~section must be used in the special education program under~~
 50-36 ~~Subchapter A, Chapter 29.~~

50-37 ~~(e) [(i)] The agency shall ensure [encourage] the placement~~
 50-38 ~~of students in special education programs, including students in~~
 50-39 ~~residential placement [instructional arrangements], in the least~~
 50-40 ~~restrictive environment appropriate for their educational needs.~~

50-41 ~~(f) [(j)] A school district that provides an extended year~~
 50-42 ~~program required by federal law for special education students who~~
 50-43 ~~may regress is entitled to receive funds in an amount equal to [75~~
 50-44 ~~percent, or a lesser percentage determined by the commissioner, of]~~
 50-45 ~~the basic allotment, or, if applicable, the sum of the basic~~
 50-46 ~~allotment and the allotment under Section 48.101 to which the~~
 50-47 ~~district is entitled for each [full-time equivalent] student in~~
 50-48 ~~average daily attendance, multiplied by the amount designated for~~
 50-49 ~~the highest tier of intensity of service for which the student~~
 50-50 ~~qualifies [student's instructional arrangement] under this~~
 50-51 ~~section, for each day the program is provided divided by the number~~
 50-52 ~~of days in the minimum school year. [The total amount of state~~
 50-53 ~~funding for extended year services under this section may not~~
 50-54 ~~exceed \$10 million per year.] A school district may use funds~~
 50-55 ~~received under this section only in providing an extended year~~
 50-56 ~~program.~~

50-57 ~~(g) [(k)] From the total amount of funds appropriated for~~
 50-58 ~~special education under this section, the commissioner shall~~
 50-59 ~~withhold an amount specified in the General Appropriations Act, and~~
 50-60 ~~distribute that amount to school districts for programs under~~
 50-61 ~~Section 29.014. The program established under that section is~~
 50-62 ~~required only in school districts in which the program is financed~~
 50-63 ~~by funds distributed under this subsection and any other funds~~
 50-64 ~~available for the program. After deducting the amount withheld~~
 50-65 ~~under this subsection from the total amount appropriated for~~
 50-66 ~~special education, the commissioner shall reduce each district's~~
 50-67 ~~allotment proportionately and shall allocate funds to each district~~
 50-68 ~~accordingly.~~

50-69 (h) Not later than December 1 of each even-numbered year,

51-1 the commissioner shall submit to the Legislative Budget Board, for
 51-2 purposes of the allotment under this section, proposed weights for
 51-3 the tiers of intensity of service for the next state fiscal
 51-4 biennium.

51-5 SECTION 4.55. Subchapter C, Chapter 48, Education Code, is
 51-6 amended by adding Sections 48.1021 and 48.1022 to read as follows:

51-7 Sec. 48.1021. SPECIAL EDUCATION SERVICE GROUP ALLOTMENT.

51-8 (a) For each student in a special education program under
 51-9 Subchapter A, Chapter 29, a school district is entitled to an
 51-10 allotment in an amount set by the legislature in the General
 51-11 Appropriations Act for the service group for which the student
 51-12 receives services.

51-13 (a-1) Notwithstanding Subsection (a), for the 2026-2027
 51-14 school year, the amount of an allotment under this section shall be
 51-15 determined in accordance with Section 48.1022. This subsection
 51-16 expires September 1, 2027.

51-17 (b) The commissioner by rule shall establish at least four
 51-18 service groups for use in determining funding under this section.
 51-19 In establishing the groups, the commissioner must consider:

51-20 (1) the type, frequency, and nature of services
 51-21 provided to a student;

51-22 (2) the required certifications, licensures, or other
 51-23 qualifications for personnel serving the student;

51-24 (3) any identified or curriculum-required
 51-25 provider-to-student ratios for the student to receive the
 51-26 appropriate services; and

51-27 (4) any equipment or technology required for the
 51-28 services.

51-29 (c) At least 55 percent of the funds allocated under this
 51-30 section must be used for a special education program under
 51-31 Subchapter A, Chapter 29.

51-32 (d) Not later than December 1 of each even-numbered year,
 51-33 the commissioner shall submit to the Legislative Budget Board, for
 51-34 purposes of the allotment under this section, proposed amounts of
 51-35 funding for the service groups for the next state fiscal biennium.

51-36 Sec. 48.1022. SPECIAL EDUCATION TRANSITION FUNDING.

51-37 (a) For the 2026-2027 school year, the commissioner may adjust
 51-38 weights or amounts provided under Section 48.102 or 48.1021 as
 51-39 necessary to ensure compliance with requirements regarding
 51-40 maintenance of state financial support under 20 U.S.C. Section
 51-41 1412(a)(18) and maintenance of local financial support under
 51-42 applicable federal law.

51-43 (b) For the 2026-2027 school year, the commissioner shall
 51-44 determine the formulas through which school districts receive
 51-45 funding under Sections 48.102 and 48.1021. In determining the
 51-46 formulas, the commissioner shall ensure the estimated statewide
 51-47 amount provided by the sum of the allotments under Sections 48.102
 51-48 and 48.1021 for the 2026-2027 school year is approximately \$350
 51-49 million greater than the amount that would have been provided under
 51-50 the allotment under Section 48.102, as that section existed on
 51-51 September 1, 2025, for that school year, calculating both amounts
 51-52 using the basic allotment in effect for the 2026-2027 school year.

51-53 (c) Each school district and open-enrollment charter school
 51-54 shall report to the agency information necessary to implement this
 51-55 section.

51-56 (d) The agency shall provide technical assistance to school
 51-57 districts and open-enrollment charter schools to ensure a
 51-58 successful transition in funding formulas for special education.

51-59 (e) This section expires September 1, 2028.

51-60 SECTION 4.56. Sections 48.103(b), (c), and (d), Education
 51-61 Code, are amended to read as follows:

51-62 (b) A school district is entitled to an allotment under
 51-63 Subsection (a) only for a student who:

51-64 (1) is receiving:

51-65 (A) instruction, services, or accommodations for
 51-66 dyslexia or a related disorder in accordance with[+]

51-67 [~~(A)~~] an individualized education program
 51-68 developed for the student under Section 29.005; or

51-69 (B) accommodations for dyslexia or a related

52-1 disorder in accordance with a plan developed for the student under
 52-2 Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794); or
 52-3 (2) ~~[is receiving instruction that:~~
 52-4 ~~[(A) meets applicable dyslexia program criteria~~
 52-5 ~~established by the State Board of Education; and~~
 52-6 ~~[(B) is provided by a person with specific~~
 52-7 ~~training in providing that instruction; or~~
 52-8 ~~[(3)] is permitted, on the basis of having dyslexia or~~
 52-9 ~~a related disorder, to use modifications in the classroom or~~
 52-10 ~~accommodations in the administration of assessment instruments~~
 52-11 ~~under Section 39.023 without a program or plan described by~~
 52-12 ~~Subdivision (1).~~

52-13 (c) A school district may receive funding for a student
 52-14 under each provision of this section, ~~[and]~~ Section 48.102, and
 52-15 Section 48.1021 for which ~~[if]~~ the student qualifies ~~[satisfies the~~
 52-16 ~~requirements of both sections].~~

52-17 (d) A school district may use ~~[an amount not to exceed 20~~
 52-18 ~~percent of]~~ the allotment provided for a qualifying student under
 52-19 this section to contract with a private provider to provide
 52-20 supplemental academic services to the student that are recommended
 52-21 under the student's program or plan described by Subsection (b). A
 52-22 student may not be excused from school to receive supplemental
 52-23 academic services provided under this subsection.

52-24 SECTION 4.57. Section 48.110(d), Education Code, is amended
 52-25 to read as follows:

52-26 (d) For each annual graduate in a cohort described by
 52-27 Subsection (b) who demonstrates college, career, or military
 52-28 readiness as described by Subsection (f) in excess of the minimum
 52-29 number of students determined for the applicable district cohort
 52-30 under Subsection (c), a school district is entitled to an annual
 52-31 outcomes bonus of:

52-32 (1) if the annual graduate is educationally
 52-33 disadvantaged, \$5,000;

52-34 (2) if the annual graduate is not educationally
 52-35 disadvantaged, \$3,000; and

52-36 (3) if the annual graduate is enrolled in a special
 52-37 education program under Subchapter A, Chapter 29, \$4,000 ~~[\$2,000]~~,
 52-38 regardless of whether the annual graduate is educationally
 52-39 disadvantaged.

52-40 SECTION 4.58. Section 48.151(g), Education Code, is amended
 52-41 to read as follows:

52-42 (g) A school district or county that provides special
 52-43 transportation services for eligible special education students is
 52-44 entitled to a state allocation at a ~~[paid on a previous year's~~
 52-45 ~~cost-per-mile basis. The]~~ rate per mile equal to the sum of the
 52-46 rate per mile set under Subsection (c) and \$0.13, or a greater
 52-47 amount provided ~~[allowable shall be set]~~ by appropriation ~~[based on~~
 52-48 ~~data gathered from the first year of each preceding biennium].~~
 52-49 Districts may use a portion of their support allocation to pay
 52-50 transportation costs, if necessary. The commissioner may grant an
 52-51 amount set by appropriation for private transportation to reimburse
 52-52 parents or their agents for transporting eligible special education
 52-53 students. The mileage allowed shall be computed along the shortest
 52-54 public road from the student's home to school and back, morning and
 52-55 afternoon. The need for this type of of transportation shall be
 52-56 determined on an individual basis and shall be approved only in
 52-57 extreme hardship cases.

52-58 SECTION 4.59. Subchapter D, Chapter 48, Education Code, is
 52-59 amended by adding Section 48.159 to read as follows:

52-60 Sec. 48.159. SPECIAL EDUCATION FULL INDIVIDUAL AND INITIAL
 52-61 EVALUATION. (a) For each child for whom a school district conducts
 52-62 a full individual and initial evaluation under Section 29.004 or 20
 52-63 U.S.C. Section 1414(a)(1), the district is entitled to an allotment
 52-64 of \$1,000 or a greater amount provided by appropriation.

52-65 (b) Notwithstanding Subsection (a), for the 2025-2026 and
 52-66 2026-2027 school years, the amount of an allotment under that
 52-67 subsection is \$3,000 for each child not enrolled or seeking
 52-68 enrollment in a public school for whom the district conducts a full
 52-69 individual and initial evaluation as described by that subsection.

53-1 The total amount that may be used to provide allotments under this
 53-2 subsection may not exceed \$67 million for a school year. If the
 53-3 total amount of allotments to which districts are entitled under
 53-4 this subsection for a school year exceeds the amount permitted
 53-5 under this subsection, the commissioner shall proportionately
 53-6 reduce each district's allotment under this subsection. This
 53-7 subsection expires September 1, 2027.

53-8 SECTION 4.60. Section 48.265(a), Education Code, is amended
 53-9 to read as follows:

53-10 (a) If [Notwithstanding any other provision of law, if] the
 53-11 commissioner determines that the amount appropriated for the
 53-12 purposes of the Foundation School Program exceeds the amount to
 53-13 which school districts are entitled under this chapter, the
 53-14 commissioner may provide [by rule shall establish a grant program
 53-15 through which excess funds are awarded as] grants using the excess
 53-16 money for the purchase of video equipment, or for the reimbursement
 53-17 of costs for previously purchased video equipment, used for
 53-18 monitoring special education classrooms or other special education
 53-19 settings required under Section 29.022.

53-20 SECTION 4.61. Section 48.279(e), Education Code, is amended
 53-21 to read as follows:

53-22 (e) After the commissioner has replaced any withheld
 53-23 federal funds as provided by Subsection (d), the commissioner shall
 53-24 distribute the remaining amount, if any, of funds described by
 53-25 Subsection (a) to proportionately increase funding for the special
 53-26 education allotment under Section 48.102 and the special education
 53-27 service group allotment under Section 48.1021.

53-28 SECTION 4.62. Subchapter G, Chapter 48, Education Code, is
 53-29 amended by adding Sections 48.304, 48.306, and 48.315 to read as
 53-30 follows:

53-31 Sec. 48.304. DAY PLACEMENT PROGRAM OR COOPERATIVE FUNDING.

53-32 (a) For each qualifying day placement program or cooperative that a
 53-33 regional education service center, school district, or
 53-34 open-enrollment charter school establishes, the program or
 53-35 cooperative is entitled to an allotment of:

53-36 (1) \$250,000 for the first year of the program's or
 53-37 cooperative's operation; and

53-38 (2) the sum of:
 53-39 (A) \$100,000 for each year of the program's or
 53-40 cooperative's operation after the first year; and

53-41 (B) \$150,000 if at least three students are
 53-42 enrolled in the program or cooperative for a year described by
 53-43 Paragraph (A).

53-44 (b) A day placement program or cooperative qualifies for
 53-45 purposes of Subsection (a) if:

53-46 (1) the program or cooperative complies with
 53-47 commissioner rules adopted for purposes of this section under
 53-48 Section 48.004;

53-49 (2) the program or cooperative offers services to
 53-50 students who are enrolled at any school district or open-enrollment
 53-51 charter school in the county in which the program or cooperative is
 53-52 offered, unless the commissioner by rule waives or modifies the
 53-53 requirement under this subdivision for the program or cooperative
 53-54 to serve all students in a county; and

53-55 (3) the agency has designated the program or
 53-56 cooperative for service in the county in which the program or
 53-57 cooperative is offered and determined that, at the time of
 53-58 designation, the program or cooperative increases the availability
 53-59 of day placement services in the county.

53-60 (c) The agency may not designate more than one day placement
 53-61 program or cooperative for service per county each year.

53-62 (d) The agency may designate a regional education service
 53-63 center to implement and administer this section.

53-64 (e) Notwithstanding any other provision of this section,
 53-65 the agency may not provide an allotment under this section to more
 53-66 than 20 day placement programs or cooperatives for a year.

53-67 Sec. 48.306. PARENT-DIRECTED SERVICES FOR STUDENTS
 53-68 RECEIVING SPECIAL EDUCATION SERVICES GRANT. (a) Subject to
 53-69 Subsection (f), a student to whom the agency awards a grant under

54-1 Subchapter A-1, Chapter 29, is entitled to receive an amount of
 54-2 \$1,500 or a greater amount provided by appropriation.

54-3 (b) The legislature shall include in the appropriations for
 54-4 the Foundation School Program state aid sufficient for the agency
 54-5 to award grants under Subchapter A-1, Chapter 29, in the amount
 54-6 provided by this section.

54-7 (c) A student may receive one grant under Subchapter A-1,
 54-8 Chapter 29, unless the legislature appropriates money for an
 54-9 additional grant in the General Appropriations Act.

54-10 (d) A regional education service center designated to
 54-11 administer the program under Subchapter A-1, Chapter 29, for a
 54-12 school year is entitled to an amount equal to four percent of each
 54-13 grant awarded under that subchapter for that school year.

54-14 (e) Notwithstanding Section 7.057, a determination of the
 54-15 commissioner under this section is final and may not be appealed.

54-16 (f) The total amount provided under this section may not
 54-17 exceed \$80 million per school year.

54-18 (g) Notwithstanding Subsection (f), the total amount
 54-19 provided under this section for the 2025-2026 school year may not
 54-20 exceed \$150 million. This subsection expires September 1, 2026.

54-21 Sec. 48.315. FUNDING FOR REGIONAL DAY SCHOOL PROGRAMS FOR
 54-22 THE DEAF. (a) The program administrator or fiscal agent of a
 54-23 regional day school program for the deaf is entitled to receive for
 54-24 each school year an allotment of \$6,925, or a greater amount
 54-25 provided by appropriation, for each student receiving services from
 54-26 the program.

54-27 (b) Notwithstanding Subsection (a), the agency shall adjust
 54-28 the amount of an allotment under that subsection for a school year
 54-29 to ensure the total amount of allotments provided under that
 54-30 subsection is at least \$35 million for that school year.

54-31 SECTION 4.63. The following provisions of the Education
 54-32 Code are repealed:

- 54-33 (1) Section 7.055(b)(24);
- 54-34 (2) Sections 7.102(c)(18), (19), (20), (21), and (22);
- 54-35 (3) Section 29.002;
- 54-36 (4) Section 29.0041(c);
- 54-37 (5) Section 29.005(f);
- 54-38 (6) Section 29.0161;
- 54-39 (7) Sections 29.308, 29.309, 29.311, 30.001, and
- 54-40 30.0015;
- 54-41 (8) Sections 30.002(c-1), (c-2), (f), (f-1), and (g);
- 54-42 (9) Section 30.084;
- 54-43 (10) Section 30.087(b); and
- 54-44 (11) Section 38.003(d).

54-45 SECTION 4.64. The commissioner of education shall award a
 54-46 grant under Subchapter A-1, Chapter 29, Education Code, as amended
 54-47 by this article, for the 2025-2026 school year to each eligible
 54-48 applicant who applied but was not accepted for the 2024-2025 school
 54-49 year.

54-50 SECTION 4.65. To the extent of any conflict between the
 54-51 changes made to the Education Code by this article and the changes
 54-52 made to the Education Code by another Act of the 89th Legislature,
 54-53 Regular Session, 2025, the changes made by this article prevail.

54-54 SECTION 4.66. Sections 8.051(d), 29.008, 29.014(c) and (d),
 54-55 and 29.018(b), Education Code, as amended by this article, apply
 54-56 beginning with the 2026-2027 school year.

54-57 SECTION 4.67. (a) Except as provided by Subsection (b) or
 54-58 (c) of this section, this article takes effect immediately if this
 54-59 Act receives a vote of two-thirds of all the members elected to each
 54-60 house, as provided by Section 39, Article III, Texas Constitution.
 54-61 If this Act does not receive the vote necessary for immediate
 54-62 effect, this article takes effect September 1, 2025.

54-63 (b) Except as provided by Subsection (c) of this section,
 54-64 the amendments made by this article to Chapter 48, Education Code,
 54-65 take effect September 1, 2025.

54-66 (c) Sections 48.009(b), 48.102, 48.103(b), (c), and (d),
 54-67 and 48.279(e), Education Code, as amended by this article, and
 54-68 Sections 48.1021 and 48.1022, Education Code, as added by this
 54-69 article, take effect September 1, 2026.

ARTICLE 5. MEASURES TO SUPPORT EARLY CHILDHOOD EDUCATION

SECTION 5.01. Section 12.104(b), Education Code, is amended to read as follows:

(b) An open-enrollment charter school is subject to:

(1) a provision of this title establishing a criminal offense;

(2) the provisions in Chapter 554, Government Code; and

(3) a prohibition, restriction, or requirement, as applicable, imposed by this title or a rule adopted under this title, relating to:

(A) the Public Education Information Management System (PEIMS) to the extent necessary to monitor compliance with this subchapter as determined by the agency [~~commissioner~~];

(B) criminal history records under Subchapter C, Chapter 22;

(C) reading and mathematics instruments and reading interventions [~~accelerated reading instruction programs~~] under Sections [~~Section~~] 28.006, 28.0063, and 28.0064;

(D) accelerated instruction under Section 28.0211;

(E) high school graduation requirements under Section 28.025;

(F) special education programs under Subchapter A, Chapter 29;

(G) bilingual education under Subchapter B, Chapter 29;

(H) prekindergarten programs under Subchapter E or E-1, Chapter 29, except class size limits for prekindergarten classes imposed under Section 25.112, which do not apply;

(I) extracurricular activities under Section 33.081;

(J) discipline management practices or behavior management techniques under Section 37.0021;

(K) health and safety under Chapter 38;

(L) the provisions of Subchapter A, Chapter 39;

(M) public school accountability and special investigations under Subchapters A, B, C, D, F, G, and J, Chapter 39, and Chapter 39A;

(N) the requirement under Section 21.006 to report an educator's misconduct;

(O) intensive programs of instruction under Section 28.0213;

(P) the right of a school employee to report a crime, as provided by Section 37.148;

(Q) bullying prevention policies and procedures under Section 37.0832;

(R) the right of a school under Section 37.0052 to place a student who has engaged in certain bullying behavior in a disciplinary alternative education program or to expel the student;

(S) the right under Section 37.0151 to report to local law enforcement certain conduct constituting assault or harassment;

(T) a parent's right to information regarding the provision of assistance for learning difficulties to the parent's child as provided by Sections 26.004(b)(11) and 26.0081(c) and (d);

(U) establishment of residency under Section 25.001;

(V) school safety requirements under Sections 37.0814, 37.108, 37.1081, 37.1082, 37.1083, 37.1084, 37.1085, 37.1086, 37.109, 37.113, 37.114, 37.1141, 37.115, 37.207, and 37.2071 and Subchapter J, Chapter 37;

(W) the early childhood literacy and mathematics proficiency plans under Section 11.185;

(X) the college, career, and military readiness plans under Section 11.186; and

(Y) parental options to retain a student under Section 28.02124.

SECTION 5.02. The heading to Section 21.4552, Education

56-1 Code, is amended to read as follows:

56-2 Sec. 21.4552. TEACHER LITERACY ACHIEVEMENT AND READING
56-3 INTERVENTION ACADEMIES.

56-4 SECTION 5.03. Section 21.4552, Education Code, is amended
56-5 by amending Subsections (b) and (d) and adding Subsections (d-1),
56-6 (g), (h), and (i) to read as follows:

56-7 (b) A literacy achievement academy developed under this
56-8 section:

56-9 (1) for teachers who provide reading instruction to
56-10 students at the kindergarten or first, second, or third grade
56-11 level:

56-12 (A) must include training in:

56-13 (i) effective and systematic instructional
56-14 practices in reading, including phonemic awareness, phonics,
56-15 fluency, vocabulary, and comprehension; and

56-16 (ii) the use of empirically validated
56-17 instructional methods that are appropriate for struggling readers;
56-18 and

56-19 (B) may include training in effective
56-20 instructional practices in writing;

56-21 (2) for teachers who provide reading instruction to
56-22 students at the fourth or fifth grade level:

56-23 (A) must include effective instructional
56-24 practices that promote student development of reading
56-25 comprehension and inferential and critical thinking;

56-26 (B) must provide training in the use of
56-27 empirically validated instructional methods that are appropriate
56-28 for struggling readers; and

56-29 (C) may include material on writing instruction;

56-30 (3) for teachers who provide reading instruction to
56-31 students at the sixth, seventh, or eighth grade level, must include
56-32 training in:

56-33 (A) strategies to be implemented in English
56-34 language arts and other subject areas for multisyllable word
56-35 reading, vocabulary development, and comprehension of expository
56-36 and narrative text;

56-37 (B) an adaptation framework that enables
56-38 teachers to respond to differing student strengths and needs,
56-39 including adaptations for students of limited English proficiency
56-40 or students receiving special education services under Subchapter
56-41 A, Chapter 29;

56-42 (C) collaborative strategies to increase active
56-43 student involvement and motivation to read; and

56-44 (D) other areas identified by the commissioner as
56-45 essential components of reading instruction; and

56-46 (4) ~~[for teachers who provide reading instruction to~~
56-47 ~~students at the seventh or eighth grade level, must include~~
56-48 ~~training in:~~

56-49 ~~[(A) administration of the reading instrument~~
56-50 ~~required by Section 28.006(c-1), and~~

56-51 ~~[(B) interpretation of the results of the reading~~
56-52 ~~instrument required by Section 28.006(c-1) and strategies, based on~~
56-53 ~~scientific research regarding effective reading instruction, for~~
56-54 ~~long-term intensive intervention to target identified student~~
56-55 ~~needs in word recognition, vocabulary, fluency, and comprehension,~~
56-56 ~~and~~

56-57 ~~[(5)]~~ for teachers who provide instruction in
56-58 mathematics, science, or social studies to students at the sixth,
56-59 seventh, or eighth grade level, must include training in:

56-60 (A) strategies for incorporating reading
56-61 instruction into the curriculum for the subject area taught by the
56-62 teacher; and

56-63 (B) other areas identified by the commissioner.

56-64 (d) Except as provided by Subsection (d-1), from funds
56-65 provided under Section 48.108 or other available [From] funds
56-66 [appropriated for that purpose], a classroom teacher who provides
56-67 instruction to students in kindergarten through third grade and
56-68 completes [attends] a literacy achievement academy is entitled to
56-69 receive a stipend from the school district in the amount determined

57-1 by the commissioner. From funds appropriated for that purpose, a
 57-2 district may provide a stipend to a classroom teacher who provides
 57-3 instruction to students in a grade level above third grade. A
 57-4 stipend received under this subsection is not considered in
 57-5 determining whether a school district is paying the classroom
 57-6 teacher the minimum monthly salary under Section 21.402.

57-7 (d-1) A school district is not required to provide a stipend
 57-8 under Subsection (d) to a classroom teacher if the teacher:

57-9 (1) attends the literacy achievement academy as part
 57-10 of an educator preparation program in which the teacher is
 57-11 enrolled;

57-12 (2) attends the literacy achievement academy on a day
 57-13 or during hours of service included in the term of the teacher's
 57-14 contract; or

57-15 (3) is not directed or approved by the school district
 57-16 at which the teacher is employed to attend the literacy achievement
 57-17 academy.

57-18 (g) The agency shall develop a method for evaluating a
 57-19 literacy achievement academy to determine the effectiveness of the
 57-20 academy, including whether the academy improves teaching practices
 57-21 and student literacy proficiency. A school district or
 57-22 open-enrollment charter school shall provide any information
 57-23 requested by the agency for purposes of evaluating literacy
 57-24 achievement academies under this subsection.

57-25 (h) In addition to the literacy achievement academies
 57-26 developed under Subsection (a), the commissioner shall develop and
 57-27 make available reading intervention academies for teachers or other
 57-28 professionals who provide reading interventions to students who
 57-29 require targeted instruction in foundational reading skills.

57-30 (i) The commissioner may establish an advisory board to
 57-31 assist the agency in fulfilling the agency's duties under this
 57-32 section. A recommendation of the advisory board shall be made
 57-33 available to the public. Chapter 2110, Government Code, does not
 57-34 apply to an advisory board established under this subsection.

57-35 SECTION 5.04. The heading to Section 21.4553, Education
 57-36 Code, is amended to read as follows:

57-37 Sec. 21.4553. TEACHER MATHEMATICS ACHIEVEMENT AND
 57-38 INTERVENTIONIST ACADEMIES.

57-39 SECTION 5.05. Section 21.4553, Education Code, is amended
 57-40 by amending Subsection (d) and adding Subsections (d-1), (g), (h),
 57-41 and (i) to read as follows:

57-42 (d) Except as provided by Subsection (d-1), from funds
 57-43 provided under Section 48.108 or other available ~~From~~ funds
 57-44 ~~appropriated for that purpose~~, a classroom teacher who completes
 57-45 ~~attends~~ a mathematics achievement academy is entitled to receive
 57-46 a stipend from the school district in the amount determined by the
 57-47 commissioner. A stipend received under this subsection is not
 57-48 considered in determining whether a district is paying the
 57-49 classroom teacher the minimum monthly salary under Section 21.402.

57-50 (d-1) A school district is not required to provide a stipend
 57-51 under Subsection (d) to a classroom teacher if the teacher:

57-52 (1) attends the mathematics achievement academy as
 57-53 part of an educator preparation program in which the teacher is
 57-54 enrolled;

57-55 (2) attends the mathematics achievement academy on a
 57-56 day or during hours of service included in the term of the teacher's
 57-57 contract; or

57-58 (3) is not directed or approved by the school district
 57-59 at which the teacher is employed to attend the mathematics
 57-60 achievement academy.

57-61 (g) The agency shall develop a method for evaluating a
 57-62 mathematics achievement academy to determine the effectiveness of
 57-63 the academy, including whether the academy improves teaching
 57-64 practices and student math proficiency. A school district or
 57-65 open-enrollment charter school shall provide any information
 57-66 requested by the agency for purposes of evaluating mathematics
 57-67 achievement academies under this subsection.

57-68 (h) In addition to the mathematics achievement academies
 57-69 developed under Subsection (a), the commissioner shall develop and

58-1 make available mathematics interventionist academies for a teacher
 58-2 or other professional who provides mathematics interventions to
 58-3 students who require targeted instruction in foundational
 58-4 mathematics skills.

58-5 (i) The commissioner may establish an advisory board to
 58-6 assist the agency in fulfilling the agency's duties under this
 58-7 section. A recommendation of the advisory board shall be made
 58-8 available to the public. Chapter 2110, Government Code, does not
 58-9 apply to an advisory board established under this subsection.

58-10 SECTION 5.06. Subchapter C, Chapter 25, Education Code, is
 58-11 amended by adding Section 25.0816 to read as follows:

58-12 Sec. 25.0816. ADDITIONAL DAYS SCHOOL YEAR PLANNING GRANT
 58-13 PROGRAM. (a) From money appropriated or otherwise available for
 58-14 the purpose, the agency shall establish and administer a grant
 58-15 program to provide funding and technical assistance to school
 58-16 districts and open-enrollment charter schools to plan the school
 58-17 year and adjust operations as necessary to qualify for the
 58-18 incentive funding under Section 48.0051.

58-19 (b) In awarding grants under the program, the agency shall
 58-20 prioritize school districts and open-enrollment charter schools
 58-21 that seek to maximize incentive funding under Section 48.0051.

58-22 (c) The agency may solicit and accept gifts, grants, and
 58-23 donations for purposes of this section.

58-24 SECTION 5.07. Section 25.085(d), Education Code, is amended
 58-25 to read as follows:

58-26 (d) Unless specifically exempted by Section 25.086, a
 58-27 student enrolled in a school district must attend:

58-28 (1) an extended-year program for which the student is
 58-29 eligible that is provided by the district for students identified
 58-30 as likely not to be promoted to the next grade level or tutorial
 58-31 classes required by the district under Section 29.084;

58-32 (2) a reading intervention program [an accelerated
 58-33 reading instruction program] to which the student is assigned under
 58-34 Section 28.0064 [28.006(g)];

58-35 (3) an accelerated instruction program to which the
 58-36 student is assigned under Section 28.0211;

58-37 (4) a basic skills program to which the student is
 58-38 assigned under Section 29.086; or

58-39 (5) a summer program provided under Section 37.008(1)
 58-40 or Section 37.021.

58-41 SECTION 5.08. The heading to Section 28.006, Education
 58-42 Code, is amended to read as follows:

58-43 Sec. 28.006. KINDERGARTEN READING READINESS [DIAGNOSIS].

58-44 SECTION 5.09. Section 28.006, Education Code, is amended by
 58-45 amending Subsections (a), (b), (b-1), (c-2), (c-3), (d), (f), and
 58-46 (h) and adding Subsection (n) to read as follows:

58-47 (a) The commissioner shall develop recommendations for
 58-48 school districts for:

58-49 (1) administering reading instruments to measure
 58-50 students' foundational literacy skills in [diagnose student]
 58-51 reading development and comprehension;

58-52 (2) training educators in administering the reading
 58-53 instruments; and

58-54 (3) applying the results of the reading instruments to
 58-55 the instructional program.

58-56 (b) The commissioner shall adopt a [list of] reading
 58-57 instrument [instruments] that a school district shall [may] use at
 58-58 the beginning of the school year to measure a kindergarten
 58-59 student's foundational literacy skills in [diagnose student]
 58-60 reading development and comprehension. A reading instrument
 58-61 adopted under this subsection may include other developmental
 58-62 skills as part of [For use in diagnosing the reading development and
 58-63 comprehension of kindergarten students, the commissioner shall
 58-64 adopt] a multidimensional assessment tool [that includes a reading
 58-65 instrument and tests at least three developmental skills, including
 58-66 literacy. A multidimensional assessment tool administered as
 58-67 provided by this subsection is considered to be a reading
 58-68 instrument for purposes of this section. A district-level
 58-69 committee established under Subchapter F, Chapter 11, may adopt a

59-1 ~~list of reading instruments for use in the district in a grade level~~
 59-2 ~~other than kindergarten in addition to the reading instruments on~~
 59-3 ~~the commissioner's list]. A [Each] reading instrument adopted by~~
 59-4 the commissioner ~~[or a district-level committee]~~ must be based on
 59-5 scientific research concerning foundational literacy skills in
 59-6 reading [skills] development and [reading] comprehension and~~[. A~~
 59-7 ~~list of reading instruments adopted under this subsection must]~~
 59-8 provide for measuring [diagnosing] the foundational literacy
 59-9 skills in reading development and comprehension of students,
 59-10 including students participating in a program under Subchapter B,
 59-11 Chapter 29.

59-12 (b-1) The commissioner may approve not more than two [an]
 59-13 alternative reading instruments [instrument] for use in measuring
 59-14 [diagnosing] the foundational literacy skills in reading
 59-15 development and comprehension of kindergarten students that
 59-16 complies with the requirements under Subsection (b).

59-17 (c-2) Not later than the 60th day after the beginning of the
 59-18 school year, each [Each] school district shall administer at the
 59-19 kindergarten level a reading instrument adopted by the commissioner
 59-20 under Subsection (b) or approved by the commissioner under
 59-21 Subsection (b-1). The district shall administer the reading
 59-22 instrument in accordance with the commissioner's recommendations
 59-23 under Subsection (a)(1) and policies developed by commissioner
 59-24 rule.

59-25 (c-3) The commissioner by rule shall determine the
 59-26 performance on a ~~[the]~~ reading instrument adopted or approved under
 59-27 this section ~~[Subsection (b)]~~ that indicates kindergarten
 59-28 readiness. Each reading instrument adopted or approved under this
 59-29 section must provide for the ability to compare the performance
 59-30 that indicates kindergarten readiness on that instrument with the
 59-31 performance that indicates kindergarten readiness on other
 59-32 instruments adopted or approved under this section.

59-33 (d) The superintendent of each school district shall:

59-34 (1) report to the commissioner and the board of
 59-35 trustees of the district at a public meeting of the board the
 59-36 results of a [the] reading instrument administered to students
 59-37 under this section [instruments];

59-38 (2) not later than the earlier of the 20th school day
 59-39 or the 30th [60th] calendar day after the date on which the results
 59-40 of a reading instrument are available, [was administered] report,
 59-41 in writing or electronically, to a student's parent or guardian the
 59-42 student's results on the instrument; and

59-43 (3) using the school readiness certification system
 59-44 provided to the school district in accordance with Section
 59-45 [29.161\(e\)](#), report electronically each student's raw score on the
 59-46 reading instrument to the agency for use in the school readiness
 59-47 certification system.

59-48 (f) The agency shall ensure ~~[at least one]~~ reading
 59-49 instruments adopted or approved [instrument for each grade level
 59-50 for which a reading instrument is required to be administered]
 59-51 under this section are [is] available to school districts at no
 59-52 cost.

59-53 (h) The school district shall make a good faith effort to
 59-54 ensure that the report [notice] required under Subsection (d)(2)
 59-55 [this section] is provided either in person or electronically [by
 59-56 regular mail] and that the report [notice] is clear and easy to
 59-57 understand and is written in English and in the parent or guardian's
 59-58 native language.

59-59 (n) Nothing in this section may be construed to circumvent
 59-60 or supplant federal or state law regarding a student who
 59-61 participates in a special education program under Subchapter A,
 59-62 Chapter 29, or a student who is suspected to have a disability and
 59-63 who may be eligible to participate in a special education program
 59-64 under that subchapter.

59-65 SECTION 5.10. Subchapter [A](#), Chapter [28](#), Education Code, is
 59-66 amended by adding Sections 28.0063, 28.0064, 28.0065, and 28.0071
 59-67 to read as follows:

59-68 Sec. 28.0063. EARLY LITERACY AND NUMERACY INSTRUMENTS. (a)
 59-69 The commissioner shall adopt a list of reading and mathematics

60-1 instruments approved or developed by the commissioner for use by
 60-2 school districts in kindergarten through grade three to measure
 60-3 students' foundational literacy skills in reading development and
 60-4 comprehension and foundational numeracy skills in mathematics.

60-5 (b) A reading or mathematics instrument adopted under
 60-6 Subsection (a) must:

60-7 (1) be based on scientific research concerning, as
 60-8 applicable:

60-9 (A) foundational literacy skills in reading
 60-10 development and comprehension; or

60-11 (B) foundational numeracy skills in mathematics;

60-12 (2) be capable of being administered at the beginning,
 60-13 middle, and end of the school year;

60-14 (3) be designed to assess the performance of students
 60-15 in, as applicable:

60-16 (A) the foundational literacy skills components
 60-17 of the essential knowledge and skills adopted under Section 28.002
 60-18 for language arts; or

60-19 (B) the foundational numeracy skills components
 60-20 of the essential knowledge and skills adopted under Section 28.002
 60-21 for mathematics;

60-22 (4) be capable of monitoring student progress in a
 60-23 manner that allows school district staff to identify specific
 60-24 foundational literacy or numeracy skills in need of targeted
 60-25 instruction;

60-26 (5) assess whether a student's skills identified as in
 60-27 need of targeted instruction indicate that the student is at risk,
 60-28 as determined by the agency, of not achieving satisfactory
 60-29 performance on the third grade reading or mathematics assessment
 60-30 administered under Section 39.023;

60-31 (6) for a reading instrument for students in
 60-32 kindergarten and first grade, include the applicable elements and
 60-33 criteria to serve as the required screenings for dyslexia and
 60-34 related disorders under Section 38.003; and

60-35 (7) for a reading instrument, allow a school district
 60-36 to generate a report regarding a student's reading progress,
 60-37 including progress from previous administrations of the same
 60-38 instrument, that is clear and easy to understand that may be
 60-39 distributed to the student's parent in English, Spanish, or, to the
 60-40 extent practicable, any other language spoken by the parent.

60-41 (c) The commissioner shall:

60-42 (1) update the list of reading and mathematics
 60-43 instruments adopted under Subsection (a) not less than once every
 60-44 four years;

60-45 (2) ensure the list adopted under Subsection (a)
 60-46 includes multiple reading and mathematics instruments;

60-47 (3) develop a process by which a school district may
 60-48 submit an instrument to the commissioner for approval; and

60-49 (4) make publicly available the criteria for the
 60-50 evaluation and approval of an instrument submitted to the
 60-51 commissioner.

60-52 (d) The instruments adopted or approved under this section
 60-53 shall be administered as follows:

60-54 (1) for kindergarten, at the middle and end of the
 60-55 school year;

60-56 (2) for first and second grade, at the beginning,
 60-57 middle, and end of the school year; and

60-58 (3) for third grade, at the beginning and middle of the
 60-59 school year.

60-60 (e) The commissioner shall align and determine
 60-61 comparability of the instruments administered under this section
 60-62 with the following instruments:

60-63 (1) an instrument adopted or approved under Section
 60-64 28.006 that is administered to a kindergarten student at the
 60-65 beginning of the school year; and

60-66 (2) a third grade assessment instrument adopted or
 60-67 developed under Section 39.023 that is administered at the end of
 60-68 the school year for a third grade student.

60-69 (f) If the commissioner determines that an interim

61-1 assessment instrument adopted under Section 39.023(o) provides the
 61-2 same intended outcomes as an instrument adopted or approved under
 61-3 this section, the commissioner may substitute that interim
 61-4 assessment instrument for an instrument adopted or approved under
 61-5 this section.

61-6 (g) A school district shall administer to students in
 61-7 kindergarten through third grade a reading instrument and a
 61-8 mathematics instrument adopted under Subsection (a) in accordance
 61-9 with requirements and recommendations established by the
 61-10 commissioner under this section, including requirements or
 61-11 recommendations related to:

61-12 (1) administering the instruments;

61-13 (2) training staff on the instruments; and

61-14 (3) applying the results of the instruments to the
 61-15 district's instructional program.

61-16 (h) The superintendent of each school district shall:

61-17 (1) report to the commissioner and the board of
 61-18 trustees of the district at a public meeting of the board the
 61-19 results of a reading or mathematics instrument administered to
 61-20 students under this section; and

61-21 (2) not later than the earlier of the 20th school day
 61-22 or the 30th calendar day after the date on which the results of a
 61-23 reading or mathematics instrument are available, report, in writing
 61-24 or electronically, to a student's parent or guardian:

61-25 (A) the student's results on the instrument;

61-26 (B) for a reading instrument, the report
 61-27 described by Subsection (b)(7); and

61-28 (C) if the student is determined to be at risk for
 61-29 dyslexia or a related disorder based on the results of the reading
 61-30 instrument, information regarding that determination.

61-31 (i) The agency shall establish a list of reading and
 61-32 mathematics instruments adopted under Subsection (a) for which the
 61-33 agency has negotiated a price. A school district is not required to
 61-34 use a method provided by Section 44.031 to purchase an instrument on
 61-35 the list established under this subsection.

61-36 (j) A student's parent or guardian may submit a written
 61-37 request to the administrator of the campus at which the student is
 61-38 enrolled to opt the student out of the administration of a reading
 61-39 or mathematics instrument required under this section. A school
 61-40 district may not encourage or direct a parent or guardian to submit
 61-41 a written request under this subsection.

61-42 (k) The commissioner shall adopt rules as necessary to
 61-43 implement this section.

61-44 (l) Section 2001.0045, Government Code, does not apply to a
 61-45 rule adopted under this section.

61-46 (m) A school district may comply with the requirements of
 61-47 Subsection (g) by administering a reading or mathematics instrument
 61-48 selected by the board of trustees of the school district that meets
 61-49 the requirements of Subsection (b) until the commissioner adopts
 61-50 the list of reading and mathematics instruments under Subsection
 61-51 (a). This subsection expires September 1, 2029.

61-52 Sec. 28.0064. EARLY LITERACY INTERVENTION FOR CERTAIN
 61-53 STUDENTS. (a) If a student's results on two consecutive reading
 61-54 instruments administered under Section 28.0063 indicate that the
 61-55 student is at risk, as determined by the agency, of not achieving
 61-56 satisfactory performance in foundational literacy, a school
 61-57 district shall, as soon as practicable following the receipt of the
 61-58 student's results, provide reading interventions to the student.

61-59 (b) Reading interventions provided under Subsection (a)
 61-60 must:

61-61 (1) include targeted instruction in the foundational
 61-62 literacy skills identified as areas in need of targeted instruction
 61-63 by the reading instrument administered under Section 28.0063;

61-64 (2) ensure that the student receives the interventions
 61-65 during a period and at a frequency sufficient to address the areas
 61-66 described by Subdivision (1);

61-67 (3) include effective instructional materials
 61-68 designed for reading intervention;

61-69 (4) be provided by a person:

62-1 (A) with training in reading interventions and in
 62-2 the applicable instructional materials described by Subdivision
 62-3 (3); and

62-4 (B) under the oversight of the school district;
 62-5 (5) to the extent possible, be provided by one person
 62-6 for the entirety of the student's reading intervention period; and
 62-7 (6) meet any additional requirements adopted by the
 62-8 commissioner.

62-9 (c) A school district shall continue providing reading
 62-10 intervention to a student under this section until the earlier of
 62-11 the date on which:

62-12 (1) the student is no longer determined to be at risk,
 62-13 as determined by the agency, of not achieving satisfactory
 62-14 performance in foundational literacy on a reading instrument
 62-15 administered under Section 28.0063; or

62-16 (2) the student begins the fourth grade.

62-17 (d) In providing reading interventions under this section,
 62-18 a school district may not remove a student, except under
 62-19 circumstances for which a student enrolled in the same grade level
 62-20 who is not receiving reading interventions would be removed, from:

62-21 (1) instruction in the foundation curriculum and
 62-22 enrichment curriculum adopted under Section 28.002 for the grade
 62-23 level in which the student is enrolled; or

62-24 (2) recess or other physical activity that is
 62-25 available to other students enrolled in the same grade level.

62-26 (e) The agency shall approve one or more products that use
 62-27 an automated, computerized, or other augmented method for providing
 62-28 reading interventions. The agency may approve a product under this
 62-29 subsection only if evidence indicates that the product is effective
 62-30 at promoting mastery of foundational literacy skills.

62-31 (f) Subject to appropriation, the agency shall ensure that
 62-32 at least one product approved under Subsection (e) is available to
 62-33 school districts at no or reduced cost.

62-34 (g) A student's parent or guardian may submit a written
 62-35 request to the administrator of the campus at which the student is
 62-36 enrolled to opt the student out of all or part of the reading
 62-37 intervention requirements under Subsection (b). A school district
 62-38 may not encourage or direct a parent or guardian to submit a written
 62-39 request under this subsection that would allow the district to not
 62-40 provide reading interventions to the student.

62-41 (h) A school district must provide to the parent or guardian
 62-42 of a student receiving reading interventions under this section the
 62-43 notice required under Section 26.0081(d).

62-44 (i) Nothing in this section may be construed to prevent or
 62-45 discourage reading interventions for a student whose results on a
 62-46 reading instrument administered under Section 28.0063 indicate
 62-47 that the student is at risk, as determined by the agency, of not
 62-48 achieving satisfactory performance in foundational literacy.

62-49 (j) Nothing in this section may be construed to circumvent
 62-50 or supplant federal or state law regarding a student who
 62-51 participates in a special education program under Subchapter A,
 62-52 Chapter 29, or a student who is suspected to have a disability and
 62-53 who may be eligible to participate in a special education program
 62-54 under that subchapter.

62-55 (k) The commissioner shall adopt rules as necessary to
 62-56 implement this section, including rules that define appropriate
 62-57 standards for implementing reading interventions that meet the
 62-58 requirements of Subsection (b).

62-59 (l) Section 2001.0045, Government Code, does not apply to a
 62-60 rule adopted under this section.

62-61 (m) A school district is not required to comply with the
 62-62 requirements of this section until the commissioner adopts a list
 62-63 of reading and mathematics instruments under Section 28.0063 and
 62-64 designates the first school year that districts must comply with
 62-65 this section. This subsection expires September 1, 2029.

62-66 Sec. 28.0065. ADAPTIVE VOCABULARY PILOT PROGRAM. (a) The
 62-67 agency shall develop and implement an adaptive vocabulary
 62-68 assessment pilot program to assess vocabulary development in
 62-69 students in kindergarten through third grade.

63-1 (b) The agency may develop an assessment under the pilot
63-2 program to assess students in grades other than grades described by
63-3 Subsection (a).

63-4 (c) Nothing in this section may be construed to circumvent
63-5 or supplant federal or state law regarding a student who
63-6 participates in a special education program under Subchapter A,
63-7 Chapter 29, or a student who is suspected to have a disability and
63-8 who may be eligible to participate in a special education program
63-9 under that subchapter.

63-10 (d) The commissioner may adopt rules as necessary to
63-11 implement this section.

63-12 Sec. 28.0071. MATHEMATICS TRAINING FOR KINDERGARTEN
63-13 THROUGH EIGHTH GRADE. (a) Each school district and
63-14 open-enrollment charter school shall ensure that:

63-15 (1) not later than the 2030-2031 school year, each
63-16 classroom teacher that provides instruction in mathematics to
63-17 students in kindergarten through eighth grade and each principal,
63-18 assistant principal, mathematics instructional coach, and
63-19 mathematics interventionist at a campus with one of those grade
63-20 levels has attended a teacher mathematics achievement academy
63-21 developed under Section 21.4553; and

63-22 (2) each classroom teacher and principal initially
63-23 employed in a grade level or at a campus described by Subdivision
63-24 (1) for the 2030-2031 school year or a subsequent school year has
63-25 attended a teacher mathematics achievement academy developed under
63-26 Section 21.4553 by the end of the teacher's or principal's first
63-27 year of placement in that grade level or campus.

63-28 (b) The agency shall provide assistance to school districts
63-29 and open-enrollment charter schools in complying with the
63-30 requirements under this section.

63-31 (c) The agency shall:

63-32 (1) monitor the implementation of this section; and

63-33 (2) periodically report to the legislature on the
63-34 implementation of this section and the effectiveness of this
63-35 section in improving educational outcomes.

63-36 (d) The commissioner may adopt rules to implement this
63-37 section.

63-38 SECTION 5.11. Subchapter B, Chapter 28, Education Code, is
63-39 amended by adding Section 28.02111 to read as follows:

63-40 Sec. 28.02111. FIRST THROUGH THIRD GRADE SUPPLEMENTARY
63-41 SUPPORTS. (a) The commissioner shall establish and administer a
63-42 program designed to help improve student proficiency in reading by
63-43 providing a grant in an amount provided under Section 48.317
63-44 through which the student's parent may purchase tutoring services
63-45 from agency-approved providers to:

63-46 (1) a student at or below the third grade level who,
63-47 beginning in the first grade, is required to be provided reading
63-48 interventions under Section 28.0064; and

63-49 (2) a student who is required to be provided
63-50 accelerated instruction under Section 28.0211(a-1) based on the
63-51 student's third grade performance.

63-52 (b) The agency shall approve as a provider of tutoring
63-53 services under this section a classroom teacher employed by a
63-54 school district or open-enrollment charter school who:

63-55 (1) holds a current teacher designation under Section
63-56 21.3521; and

63-57 (2) submits the teacher's name to the agency to offer
63-58 tutoring services designed to help improve student proficiency in
63-59 reading.

63-60 (c) The agency shall:

63-61 (1) maintain a system of online accounts under which
63-62 each student described by Subsection (a) is assigned an account for
63-63 the student's parent to access the grant described by Subsection
63-64 (a); and

63-65 (2) implement the program in a manner that ensures:

63-66 (A) ease of use for parents of students who are
63-67 eligible for a grant under this section;

63-68 (B) fidelity of spending; and

63-69 (C) a parent of a student awarded a grant under

64-1 this section is provided a period of one year from the date on which
 64-2 the grant is awarded to obtain services for which grant money may be
 64-3 used.

64-4 (d) A student may not receive more than one grant under
 64-5 Subsection (a)(1) and one grant under Subsection (a)(2) unless the
 64-6 legislature provides for additional grants by appropriation.

64-7 (e) The agency may reserve from the total amount of money
 64-8 available for purposes of the program an amount, not to exceed five
 64-9 percent of the total amount, to cover the agency's cost of
 64-10 administering the program.

64-11 (f) A school district or open-enrollment charter school in
 64-12 which a student who receives a grant under this section is enrolled
 64-13 remains subject to the requirements to provide reading
 64-14 interventions under Section 28.0064 and accelerated instruction
 64-15 under Section 28.0211, as applicable.

64-16 (g) A school district or open-enrollment charter school
 64-17 shall provide to the parent of a student described by Subsection (a)
 64-18 notice of the student's eligibility for a grant under this section,
 64-19 in a form and manner established by the agency.

64-20 (h) A decision by the commissioner regarding the program
 64-21 under this section is final and may not be appealed.

64-22 (i) The commissioner shall adopt rules as necessary to
 64-23 implement this section.

64-24 SECTION 5.12. Section 29.0031, Education Code, is amended
 64-25 by adding Subsection (e) to read as follows:

64-26 (e) A school district shall notify the parent of a student
 64-27 identified with dyslexia or a related disorder of the Talking Book
 64-28 Program administered by the Texas State Library and Archives
 64-29 Commission and other available audio book services.

64-30 SECTION 5.13. Section 29.153, Education Code, is amended by
 64-31 amending Subsections (b) and (g) and adding Subsections (g-1), (h),
 64-32 and (i) to read as follows:

64-33 (b) A child is eligible for enrollment in a prekindergarten
 64-34 class under this section if the child is at least three years of age
 64-35 and:

64-36 (1) is unable to speak and comprehend the English
 64-37 language;

64-38 (2) is educationally disadvantaged;

64-39 (3) is homeless, regardless of the residence of the
 64-40 child, of either parent of the child, or of the child's guardian or
 64-41 other person having lawful control of the child;

64-42 (4) is the child of an active duty member of the armed
 64-43 forces of the United States, including the state military forces or
 64-44 a reserve component of the armed forces, who is ordered to active
 64-45 duty by proper authority;

64-46 (5) is the child of a member of the armed forces of the
 64-47 United States, including the state military forces or a reserve
 64-48 component of the armed forces, who was injured or killed while
 64-49 serving on active duty;

64-50 (6) is or ever has been in:

64-51 (A) the conservatorship of the Department of
 64-52 Family and Protective Services following an adversary hearing held
 64-53 as provided by Section 262.201, Family Code; or

64-54 (B) foster care in another state or territory, if
 64-55 the child resides in this state; ~~or~~

64-56 (7) is the child of a person eligible for the Star of
 64-57 Texas Award as:

64-58 (A) a peace officer under Section 3106.002,
 64-59 Government Code;

64-60 (B) a firefighter under Section 3106.003,
 64-61 Government Code; or

64-62 (C) an emergency medical first responder under
 64-63 Section 3106.004, Government Code; or

64-64 (8) is the child of a person employed as a classroom
 64-65 teacher at a public primary or secondary school in the school
 64-66 district that offers a prekindergarten class under this section.

64-67 (g) Before a school district or open-enrollment charter
 64-68 school may construct, repurpose, or lease a classroom facility, or
 64-69 issue bonds for the construction or repurposing of a classroom

65-1 facility, to provide the prekindergarten classes required under
65-2 this section, the district or school must:

65-3 (1) solicit and consider proposals for partnerships to
65-4 provide those classes with community-based child-care providers
65-5 who:

65-6 (A) [~~(1)~~] are a Texas Rising Star Program
65-7 provider with a three-star certification or higher;

65-8 (B) [~~(2)~~] are nationally accredited;

65-9 (C) [~~(3)~~] are a Head Start program provider;

65-10 (D) [~~(4)~~] are a Texas School Ready! participant;

65-11 or

65-12 (E) [~~(5)~~] meet the requirements under Section
65-13 29.1532; and

65-14 (2) have received an official determination from a
65-15 prekindergarten partnership intermediary designated under
65-16 Subsection (g-1) that the providers from which the district or
65-17 school has considered proposals under Subdivision (1) are unable to
65-18 serve the students for whom the district or school plans to provide
65-19 prekindergarten classes in the classroom facility to be
65-20 constructed, repurposed, or leased.

65-21 (g-1) The commissioner shall designate at least four
65-22 appropriate entities as prekindergarten partnership intermediaries
65-23 to develop partnerships between school districts and
65-24 open-enrollment charter schools and private prekindergarten
65-25 providers. The agency shall develop guidelines for use by the
65-26 prekindergarten partnership intermediaries regarding successful
65-27 prekindergarten partnerships between school districts and
65-28 open-enrollment charter schools and private prekindergarten
65-29 providers.

65-30 (h) Notwithstanding any other law, a facility or location at
65-31 which prekindergarten classes are provided by a school district or
65-32 open-enrollment charter school in partnership with a private entity
65-33 under this section:

65-34 (1) must comply with any municipal ordinance
65-35 applicable to the operation of a private prekindergarten program;
65-36 and

65-37 (2) may not be required to comply with any municipal
65-38 ordinance applicable to the operation of a prekindergarten program
65-39 by a school district or open-enrollment charter school.

65-40 (i) A partnership entered into between a school district or
65-41 open-enrollment charter school and a private provider for a
65-42 prekindergarten class under this section must provide for the
65-43 provider to receive funding for each district or school student
65-44 enrolled in the class in an amount that is not less than 85 percent
65-45 of the amount of funding that the district or school receives for
65-46 the student. Notwithstanding Section 7.056(e)(3)(I), the
65-47 commissioner may waive the requirement under this subsection on
65-48 request by a school district or open-enrollment charter school in
65-49 accordance with Section 7.056.

65-50 SECTION 5.14. Section 29.1531, Education Code, is amended
65-51 by amending Subsections (a) and (b) and adding Subsections (c) and
65-52 (d) to read as follows:

65-53 (a) Except as provided by Subsection (c), a [A] school
65-54 district may offer on a tuition basis or use district funds to
65-55 provide:

65-56 (1) an additional half-day of prekindergarten classes
65-57 to children who are eligible for classes under Section 29.153 and
65-58 are under four years of age; and

65-59 (2) half-day and full-day prekindergarten classes to
65-60 children not eligible for classes under Section 29.153.

65-61 (b) A district that offers a prekindergarten program on a
65-62 tuition basis[+]

65-63 [~~(1)~~] may not adopt a tuition rate for the program that
65-64 is higher than necessary to cover the added costs of providing the
65-65 program, including any costs associated with collecting,
65-66 reporting, and analyzing data under Section 29.1532(c)[+, and

65-67 [~~(2)~~ must submit the proposed tuition rate to the
65-68 commissioner for approval].

65-69 (c) A school district may offer a prekindergarten program on

66-1 a tuition basis only if the district has received an official
 66-2 determination from a prekindergarten partnership intermediary
 66-3 designated under Section 29.153(g-1) that no private
 66-4 prekindergarten providers that meet the qualifications of Section
 66-5 29.153(g)(1)(A), (B), (C), or (D) are available to serve the
 66-6 students for whom the district plans to charge tuition.

66-7 (d) The commissioner may adopt rules under this section,
 66-8 including rules establishing the manner in which a prekindergarten
 66-9 partnership intermediary may determine whether a private
 66-10 prekindergarten provider is available.

66-11 SECTION 5.15. Section 29.1543, Education Code, is amended
 66-12 to read as follows:

66-13 Sec. 29.1543. EARLY EDUCATION REPORTS. The agency shall
 66-14 produce and make available to the public on the agency's Internet
 66-15 website annual district and campus-level reports containing
 66-16 information from the previous school year on early education in
 66-17 school districts and open-enrollment charter schools. A report
 66-18 under this section must contain:

66-19 (1) the information required by Section 29.1532(c) to
 66-20 be reported through the Public Education Information Management
 66-21 System (PEIMS);

66-22 (2) a description of the [~~diagnostic~~] reading
 66-23 instruments administered in accordance with Section 28.006(c-2)
 66-24 [~~28.006(c) or (c-2)~~];

66-25 (3) the number of students who were administered a
 66-26 [~~diagnostic~~] reading instrument administered in accordance with
 66-27 Section 28.006(c-2) [~~28.006(c) or (c-2)~~];

66-28 (4) the number of students whose scores from a
 66-29 [~~diagnostic~~] reading instrument administered in accordance with
 66-30 Section 28.006(c-2) [~~28.006(c) or (c-2)~~] indicate kindergarten
 66-31 readiness in reading [~~proficiency~~];

66-32 (5) the number of kindergarten students who were
 66-33 enrolled in a prekindergarten program, including a program offered
 66-34 through a partnership under Section 29.153, in the previous school
 66-35 years [~~year~~] in the same district or school as the district or
 66-36 school in which the student attends kindergarten;

66-37 (6) the number and percentage of students who perform
 66-38 satisfactorily on the third grade reading or mathematics assessment
 66-39 instrument administered under Section 39.023, disaggregated by
 66-40 whether the student was eligible for free prekindergarten under
 66-41 Section 29.153;

66-42 (7) the number of students described by Subdivision
 66-43 (6) who attended kindergarten in the district, disaggregated by:

66-44 (A) whether the student met the kindergarten
 66-45 readiness standard on a a [~~the~~] reading instrument adopted under
 66-46 Section 28.006;

66-47 (B) whether the student attended prekindergarten
 66-48 in the district, including a program offered through a partnership
 66-49 under Section 29.153; and

66-50 (C) the type of prekindergarten the student
 66-51 attended, if applicable; and

66-52 (8) the information described by Subdivisions (6) and
 66-53 (7) disaggregated by whether the student is educationally
 66-54 disadvantaged.

66-55 SECTION 5.16. Section 29.161(c), Education Code, is amended
 66-56 to read as follows:

66-57 (c) The system must:

66-58 (1) be reflective of research in the field of early
 66-59 childhood care and education;

66-60 (2) be well-grounded in the cognitive, social, and
 66-61 emotional development of young children;

66-62 (3) apply a common set of criteria to each program
 66-63 provider seeking certification, regardless of the type of program
 66-64 or source of program funding; and

66-65 (4) be capable of fulfilling the reporting and notice
 66-66 requirements of Section [~~Sections~~] 28.006(d) [~~and (g)~~].

66-67 SECTION 5.17. Section 29.167, Education Code, is amended by
 66-68 amending Subsections (b-1) and (b-3) and adding Subsection (b-4) to
 66-69 read as follows:

67-1 (b-1) Notwithstanding Subsection (b), each teacher for a
 67-2 prekindergarten class provided by an entity with which a school
 67-3 district contracts to provide a prekindergarten program must:

67-4 (1) be certified under Subchapter B, Chapter 21, to
 67-5 teach prekindergarten or supervised by a person who meets the
 67-6 requirements under Subsection (b); [and]

67-7 (2) have one of the following qualifications:
 67-8 (A) at least two years' experience of teaching in
 67-9 a nationally accredited child care program or a Texas Rising Star
 67-10 Program and:

67-11 (i) a Child Development Associate (CDA)
 67-12 credential or another early childhood education credential
 67-13 approved by the agency; or

67-14 (ii) certification offered through a
 67-15 training center accredited by Association Montessori
 67-16 Internationale or through the Montessori Accreditation Council for
 67-17 Teacher Education; or

67-18 (B) a qualification described by Subsection
 67-19 (b)(2)(A), (D), (E), or (F); and

67-20 (3) when appropriate, be appropriately certified or be
 67-21 supervised by a person who is appropriately certified to provide
 67-22 effective instruction to emergent bilingual students, as defined by
 67-23 Section 29.052, enrolled in the prekindergarten program.

67-24 (b-3) Subsections (b-1), [and] (b-2), and (b-4) and this
 67-25 subsection expire September 1, 2029.

67-26 (b-4) Subsections (b-1) and (b-2) apply to any
 67-27 prekindergarten class provided by an entity with which a school
 67-28 district contracts to provide a prekindergarten program under
 67-29 Section 29.153.

67-30 SECTION 5.18. Sections 29.934(b) and (d), Education Code,
 67-31 are amended to read as follows:

67-32 (b) To apply to be designated as a resource campus under
 67-33 this section, the campus must have received an overall performance
 67-34 rating under Section 39.054 of D or F, or an overall performance
 67-35 rating under Section 39.054(a-4)(1) or 39.0546 of "Not Rated," for
 67-36 three [four] years over a 10-year period of time.

67-37 (d) To be designated as a resource campus, the campus must:
 67-38 (1) implement a targeted improvement plan as described
 67-39 by Chapter 39A and establish a school community partnership team;

67-40 (2) adopt an accelerated campus excellence turnaround
 67-41 plan as provided by Section 39A.105(b) ~~[except that a classroom~~
 67-42 ~~teacher who satisfies the requirements for demonstrated~~
 67-43 ~~instructional effectiveness under Section 39A.105(b)(3) must also~~
 67-44 ~~hold a current designation assigned under Section 21.3521];~~

67-45 (3) be in a school district that has adopted an
 67-46 approved local optional teacher designation system under Section
 67-47 21.3521;

67-48 (4) satisfy certain staff criteria by:
 67-49 (A) requiring a principal or teacher employed at
 67-50 the campus before the designation to apply for a position to
 67-51 continue at the campus;

67-52 (B) for a subject in the foundation curriculum
 67-53 under Section 28.002(a)(1):

67-54 (i) employing only teachers who have at
 67-55 least two [three] years of teaching experience; and

67-56 (ii) ensuring that at least 50 percent of
 67-57 teachers hold a current designation assigned under Section 21.3521;

67-58 (C) employing at least one school counselor for
 67-59 every 300 students; and

67-60 (D) employing at least one appropriately
 67-61 licensed professional to assist with the social and emotional needs
 67-62 of students and staff, who must be a:

67-63 (i) family and community liaison;

67-64 (ii) clinical social worker;

67-65 (iii) specialist in school psychology; or

67-66 (iv) professional counselor;

67-67 (5) implement a positive behavior program as provided
 67-68 by Section 37.0013;

67-69 (6) implement a family engagement plan as described by

68-1 Section [29.168](#);

68-2 (7) develop and implement a plan to use high quality
68-3 instructional materials;

68-4 (8) if the campus is an elementary or middle school
68-5 campus, operate the campus for a school year that qualifies for
68-6 funding under Section [48.0051](#); and

68-7 (9) annually submit to the commissioner data and
68-8 information required by the commissioner to assess fidelity of
68-9 implementation.

68-10 SECTION 5.19. Effective September 1, 2028, Section [29.934](#),
68-11 Education Code, is amended by amending Subsection (b) and adding
68-12 Subsection (b-1) to read as follows:

68-13 (b) To apply to be designated as a resource campus under
68-14 this section, the campus must have received an overall performance
68-15 rating under Section [39.054](#) of D or F, or an overall performance
68-16 rating under Section [39.054\(a-4\)\(1\)](#) of "Not Rated," for three
68-17 [four] years over a 10-year period of time.

68-18 (b-1) Notwithstanding Subsection (b), a campus may apply to
68-19 be designated as a resource campus under this section if the campus
68-20 received an overall performance rating under Section [39.054](#) of D or
68-21 F, or an overall performance rating under Section [39.054\(a-4\)\(1\)](#) or
68-22 former Section [39.0546](#) of "Not Rated," for three years over a
68-23 10-year period of time. This subsection expires September 1, 2033.

68-24 SECTION 5.20. Section [31.0752](#), Education Code, is amended
68-25 to read as follows:

68-26 Sec. 31.0752. OPEN EDUCATION RESOURCE INSTRUCTIONAL
68-27 MATERIAL SUPPORT PROGRAM. (a) The agency shall develop and
68-28 maintain a program to assist school districts and open-enrollment
68-29 charter schools in adopting and using open education resource
68-30 instructional material made available under this subchapter,
68-31 including by assisting districts and schools to:

68-32 (1) maintain the instructional flexibility of
68-33 classroom teachers to address the needs of each student; and

68-34 (2) schedule instructional periods in a manner that
68-35 allows classroom teachers sufficient time to effectively prepare
68-36 and present instructional material within the teacher's normal work
68-37 day.

68-38 (b) The agency shall engage in efforts to meet the demand
68-39 from school districts and open-enrollment charter schools that
68-40 request assistance under this section for the 2024-2025 or
68-41 2025-2026 school year. A school district or open-enrollment
68-42 charter school may apply assistance received under this subsection
68-43 to offset the payment of costs related to implementing open
68-44 education resource instructional material, regardless of whether
68-45 the district or school incurred the cost before receiving the
68-46 assistance. This subsection expires September 1, 2027.

68-47 SECTION 5.21. Subchapter [B-1](#), Chapter [31](#), Education Code,
68-48 is amended by adding Section [31.0754](#) to read as follows:

68-49 Sec. 31.0754. COMMUNICATION REGARDING HIGH QUALITY
68-50 INSTRUCTIONAL MATERIALS. (a) Notwithstanding Chapter [2113](#),
68-51 Government Code, the commissioner may enter into contracts or
68-52 agreements and engage in efforts to communicate information to
68-53 parents, classroom teachers, school districts, and open-enrollment
68-54 charter schools regarding the educational value, particularly the
68-55 impact on reading and math achievement, of open education resource
68-56 instructional materials made available under this subchapter,
68-57 including activities to promote, market, and advertise the content
68-58 included in and how to use those materials.

68-59 (b) The commissioner may use appropriated funds or funds
68-60 appropriated for the development of open education resource
68-61 instructional materials under this subchapter to pay for activities
68-62 authorized under this section.

68-63 SECTION 5.22. Section [38.003](#), Education Code, is amended by
68-64 amending Subsection (a) and adding Subsection (a-1) to read as
68-65 follows:

68-66 (a) The State Board of Education shall identify the
68-67 necessary criteria and elements that provide for universal
68-68 screening [~~Students enrolling in public schools in this state shall~~
68-69 be screened or tested, as appropriate,] for dyslexia and related

69-1 disorders for students [~~at appropriate times in accordance with a~~
69-2 ~~program approved by the State Board of Education. The program must~~
69-3 ~~include screening at the end of the school year of each student]~~ in
69-4 kindergarten and [~~each student in the]~~ first grade.

69-5 (a-1) The criteria and elements identified under Subsection
69-6 (a) must be included in the reading instruments adopted or approved
69-7 under Section 28.0063 and administered in accordance with the
69-8 timelines established under that section.

69-9 SECTION 5.23. Section 39.333, Education Code, is amended to
69-10 read as follows:

69-11 Sec. 39.333. REGIONAL AND DISTRICT LEVEL REPORT. As part of
69-12 the comprehensive biennial report under Section 39.332, the agency
69-13 shall submit a regional and district level report covering the
69-14 preceding two school years and containing:

69-15 (1) a summary of school district compliance with the
69-16 student/teacher ratios and class-size limitations prescribed by
69-17 Sections 25.111 and 25.112, including:

69-18 (A) the number of campuses and classes at each
69-19 campus granted an exception from Section 25.112; and

69-20 (B) for each campus granted an exception from
69-21 Section 25.112, a statement of whether the campus has been awarded a
69-22 distinction designation under Subchapter G or has been identified
69-23 as an unacceptable campus under Chapter 39A;

69-24 (2) a summary of the exemptions and waivers granted to
69-25 campuses and school districts under Section 7.056 or 39.232 and a
69-26 review of the effectiveness of each campus or district following
69-27 deregulation;

69-28 (3) an evaluation of the performance of the system of
69-29 regional education service centers based on the indicators adopted
69-30 under Section 8.101 and client satisfaction with services provided
69-31 under Subchapter B, Chapter 8; and

69-32 (4) [~~an evaluation of accelerated instruction~~
69-33 ~~programs offered under Section 28.006, including an assessment of~~
69-34 ~~the quality of such programs and the performance of students~~
69-35 ~~enrolled in such programs; and~~

69-36 [~~5)]~~ the number of classes at each campus that are
69-37 currently being taught by individuals who are not certified in the
69-38 content areas of their respective classes.

69-39 SECTION 5.24. Section 48.0051, Education Code, is amended
69-40 by amending Subsections (a), (b), and (d) and adding Subsection
69-41 (b-1) to read as follows:

69-42 (a) The [~~Subject to Subsection (a-1), the]~~ commissioner
69-43 shall adjust the average daily attendance of a school district or
69-44 open-enrollment charter school under Section 48.005 in the manner
69-45 provided by Subsection (b) if the district or school:

69-46 (1) provides the minimum number of minutes of
69-47 operational and instructional time required under Section 25.081
69-48 and commissioner rules adopted under that section over at least 175
69-49 [~~180~~] days of instruction; and

69-50 (2) offers an additional 30 days of half-day
69-51 instruction for students enrolled in prekindergarten through
69-52 eighth [~~fifth~~] grade.

69-53 (b) Subject to Subsection (b-1), for [~~For~~] a school district
69-54 or open-enrollment charter school described by Subsection (a), the
69-55 commissioner shall increase the average daily attendance of the
69-56 district or school under Section 48.005 by the amount that results
69-57 from the quotient of the sum of attendance by students described by
69-58 Subsection (a)(2) for each of the 30 additional instructional days
69-59 of half-day instruction that are provided divided by 175 [~~180~~].

69-60 (b-1) For a school district or open-enrollment charter
69-61 school described by Subsection (a) that provides at least 200 full
69-62 days of instruction to students described by Subsection (a)(2), the
69-63 commissioner shall increase the amount computed for the district or
69-64 school under Subsection (b) by 50 percent.

69-65 (d) This section does not prohibit a school district from
69-66 providing the minimum number of minutes of operational and
69-67 instructional time required under Section 25.081 and commissioner
69-68 rules adopted under that section over fewer than 175 [~~180~~] days of
69-69 instruction.

70-1 SECTION 5.25. Subchapter A, Chapter 48, Education Code, is
70-2 amended by adding Section 48.0052 to read as follows:

70-3 Sec. 48.0052. INCENTIVE FOR ADDITIONAL INSTRUCTIONAL DAYS
70-4 FOR READING INTERVENTIONS. (a) The commissioner shall adjust the
70-5 average daily attendance of a school district or open-enrollment
70-6 charter school under Section 48.005 in the manner provided by
70-7 Subsection (b) if the district or school:

70-8 (1) does not qualify for funding under Section
70-9 48.0051;

70-10 (2) provides the minimum number of minutes of
70-11 operational and instructional time required under Section 25.081
70-12 and commissioner rules adopted under that section; and

70-13 (3) offers up to an additional 30 days of half-day
70-14 instruction consisting of reading interventions described by
70-15 Section 28.0064 for students who are required to be provided
70-16 reading interventions under that section.

70-17 (b) For a school district or open-enrollment charter school
70-18 described by Subsection (a), the commissioner shall increase the
70-19 average daily attendance of the district or school under Section
70-20 48.005 by 50 percent of the amount that results from the quotient of
70-21 the sum of attendance by students described by Subsection (a)(3)
70-22 for each of the additional instructional days of half-day
70-23 instruction that are provided divided by 175.

70-24 (c) The agency shall assist school districts and
70-25 open-enrollment charter schools in qualifying for the incentive
70-26 under this section.

70-27 (d) The commissioner shall adopt rules necessary for the
70-28 implementation of this section.

70-29 SECTION 5.26. Section 48.108, Education Code, is amended by
70-30 amending Subsections (a), (b), and (c) and adding Subsection (a-1)
70-31 to read as follows:

70-32 (a) For each student in average daily attendance in
70-33 kindergarten through third grade, a school district is entitled to
70-34 an annual allotment equal to the basic allotment multiplied by
70-35 0.01.

70-36 (a-1) In addition to the allotment under Subsection (a), a
70-37 school district is entitled to an annual allotment equal to the
70-38 basic allotment multiplied by 0.1 for each student in average daily
70-39 attendance in kindergarten through third grade who ~~[0.1 if the~~
70-40 student] is:

70-41 (1) educationally disadvantaged; or

70-42 (2) an emergent bilingual student, as defined by
70-43 Section 29.052, and is in a bilingual education or special language
70-44 program under Subchapter B, Chapter 29.

70-45 (b) Funds allocated under this section must be used to fund:

70-46 (1) the attendance of teachers employed by the
70-47 district at teacher literacy achievement academies under Section
70-48 21.4552 or teacher mathematics achievement academies under Section
70-49 21.4553;

70-50 (2) prekindergarten programs under Subchapters E and
70-51 E-1, Chapter 29; and

70-52 (3) programs and services designed to improve student
70-53 performance in reading and mathematics in prekindergarten through
70-54 third grade, including programs and services designed to assist the
70-55 district in achieving the goals set in the district's early
70-56 childhood literacy and mathematics proficiency plans adopted under
70-57 Section 11.185.

70-58 (c) A school district is entitled to an allotment under each
70-59 subdivision of Subsection (a-1) ~~[(a)]~~ for which a student
70-60 qualifies.

70-61 SECTION 5.27. Subchapter C, Chapter 48, Education Code, is
70-62 amended by adding Sections 48.1081 and 48.122 to read as follows:

70-63 Sec. 48.1081. DISTRIBUTION OF CERTAIN EARLY EDUCATION
70-64 ALLOTMENT MONEY FOR PURPOSES OF FULL-DAY PREKINDERGARTEN. (a)
70-65 This section applies only to money to which a school district is
70-66 entitled under Section 48.108(a-1).

70-67 (b) Notwithstanding any other provision of this chapter,
70-68 from the total amount of money to which school districts are
70-69 entitled under Section 48.108(a-1), the agency shall, instead of

71-1 providing money to which this section applies to school districts
 71-2 in accordance with Section 48.108(a-1), distribute that money as
 71-3 follows:

71-4 (1) provide to each school district that operates a
 71-5 full-day program under Section 29.153(c), funding under this
 71-6 chapter based on one-half of the average daily attendance
 71-7 calculated under Section 48.005 for each student in that program;
 71-8 and

71-9 (2) if any amount remains after distributing money
 71-10 under Subdivision (1), provide to each school district an amount
 71-11 that is proportional to the district's entitlement under Section
 71-12 48.108(a-1).

71-13 Sec. 48.122. EARLY LITERACY INTERVENTION ALLOTMENT. (a)
 71-14 Except as provided by Subsections (b) and (c), for each enrolled
 71-15 student receiving reading interventions under Section 28.0064, a
 71-16 school district is entitled to an annual allotment of \$250, or a
 71-17 greater amount provided by appropriation.

71-18 (b) A school district may not receive funding under this
 71-19 section for a student for which the district receives an allotment
 71-20 under Section 48.103.

71-21 (c) A school district may receive funding under this section
 71-22 for not more than 10 percent of students enrolled in the district in
 71-23 kindergarten through third grade.

71-24 SECTION 5.28. Subchapter G, Chapter 48, Education Code, is
 71-25 amended by adding Section 48.317 to read as follows:

71-26 Sec. 48.317. THIRD GRADE SUPPLEMENTARY SUPPORTS GRANT;
 71-27 FUNDING ADJUSTMENT. (a) A student to whom the agency provides a
 71-28 grant under Section 28.02111 is entitled to receive an amount of
 71-29 \$400 for each grant for which the student is eligible under that
 71-30 section, or a greater amount provided by appropriation.

71-31 (b) A student may receive only one grant under Section
 71-32 28.02111(a)(1) and one grant under Section 28.02111(a)(2) unless
 71-33 the legislature provides for additional grants by appropriation.

71-34 (c) Subject to Subsection (d), beginning with the 2030-2031
 71-35 school year, the agency shall reduce the school district's
 71-36 entitlement under this chapter each school year by the total amount
 71-37 of grant money received by a student under Subsection (a) for each
 71-38 student who:

71-39 (1) fails to perform satisfactorily on the third grade
 71-40 reading assessment instrument administered under Section
 71-41 39.023(a);

71-42 (2) received and used a grant under Section 28.02111;
 71-43 and

71-44 (3) was enrolled in the district from kindergarten
 71-45 through third grade.

71-46 (d) For a student described by Subsection (c) who is
 71-47 eligible to participate in a school district's special education
 71-48 program under Section 29.003, the agency shall reduce the
 71-49 district's entitlement in accordance with Subsection (c) by
 71-50 one-half of the amount determined for the student under that
 71-51 subsection.

71-52 (e) Notwithstanding Section 7.057, a determination by the
 71-53 commissioner under this section is final and may not be appealed.

71-54 SECTION 5.29. The following provisions of the Education
 71-55 Code are repealed:

71-56 (1) Section 7.058;

71-57 (2) Sections 28.006(c), (c-1), (g), (g-1), (g-2), (i),
 71-58 (j), and (k); and

71-59 (3) Section 28.007.

71-60 SECTION 5.30. To the extent of any conflict between the
 71-61 changes made to the Education Code by this article and the changes
 71-62 made to the Education Code by another Act of the 89th Legislature,
 71-63 Regular Session, 2025, the changes made by this article prevail.

71-64 SECTION 5.31. (a) Except as provided by Subsection (b) of
 71-65 this section, Sections 12.104, 21.4552, 21.4553, 25.085, 28.006,
 71-66 29.153, 29.1543, 29.167, 29.934, and 39.333, Education Code, as
 71-67 amended by this article, and Sections 28.0063, 28.0064, 28.0065,
 71-68 and 28.02111, Education Code, as added by this article, apply
 71-69 beginning with the 2025-2026 school year.

72-1 (b) Sections 29.153(g) and 29.1531, Education Code, as
 72-2 amended by this article, apply beginning with the 2027-2028 school
 72-3 year.

72-4 SECTION 5.32. (a) Sections 48.0051 and 48.108, Education
 72-5 Code, as amended by this article, and Sections 48.0052, 48.1081,
 72-6 48.122, and 48.317, Education Code, as added by this article, take
 72-7 effect September 1, 2025.

72-8 (b) Except as provided by Subsection (a) of this section or
 72-9 as otherwise provided by this article, this article takes effect
 72-10 immediately if this Act receives a vote of two-thirds of all the
 72-11 members elected to each house, as provided by Section 39, Article
 72-12 III, Texas Constitution. If this Act does not receive the vote
 72-13 necessary for immediate effect, this article takes effect September
 72-14 1, 2025.

ARTICLE 6. COLLEGE, CAREER, AND MILITARY READINESS

72-15 SECTION 6.01. Section 4.002, Education Code, is amended to
 72-16 read as follows:

72-17 Sec. 4.002. PUBLIC EDUCATION ACADEMIC GOALS. To serve as a
 72-18 foundation for a well-balanced and appropriate education:

72-19 GOAL 1: The students in the public education system
 72-20 will demonstrate exemplary performance in the reading and writing
 72-21 of the English language.

72-22 GOAL 2: The students in the public education system
 72-23 will demonstrate exemplary performance in the understanding of
 72-24 mathematics.

72-25 GOAL 3: The students in the public education system
 72-26 will demonstrate exemplary performance in the understanding of
 72-27 science.

72-28 GOAL 4: The students in the public education system
 72-29 will demonstrate exemplary performance in the understanding of
 72-30 social studies.

72-31 GOAL 5: The students who graduate high school in the
 72-32 public education system will have the skills and credentials
 72-33 necessary to immediately enter this state's workforce.

72-34 GOAL 6: The students who graduate high school in the
 72-35 public education system and who elect to pursue postsecondary
 72-36 education will be ready for postsecondary coursework without the
 72-37 need for remediation.

72-38 SECTION 6.02. Subchapter B, Chapter 7, Education Code, is
 72-39 amended by adding Sections 7.0405 and 7.043 to read as follows:

72-40 Sec. 7.0405. POSTING OF POSTSECONDARY OUTCOMES. (a)
 72-41 Subject to Subsection (b), the agency shall post on the agency's
 72-42 Internet website the following de-identified data, disaggregated
 72-43 by school district or open-enrollment charter school, high school
 72-44 campus, and annual cohort for the 10 most recent annual cohorts:

72-45 (1) for students who graduate from high school:

72-46 (A) the number and percentage of students who
 72-47 enroll in, enroll in remedial postsecondary coursework as part of,
 72-48 persist for at least one year in, or complete a postsecondary
 72-49 degree, certificate, or other credentialing program, disaggregated
 72-50 by program and postsecondary educational institution; and

72-51 (B) employment status, occupation, industry,
 72-52 wage, and county of employment and residence, as reported under
 72-53 Section 204.0025, Labor Code; and

72-54 (2) for students who did not graduate from high
 72-55 school:

72-56 (A) the highest grade level completed;

72-57 (B) the number of uncompleted credits required
 72-58 for the student to graduate;

72-59 (C) employment status, occupation, industry,
 72-60 wage, and county of employment and residence, as reported under
 72-61 Section 204.0025, Labor Code; and

72-62 (D) whether the student has earned a high school
 72-63 equivalency certificate.

72-64 (b) The agency shall post the data required under Subsection
 72-65 (a) in a manner that complies with the Family Educational Rights and
 72-66 Privacy Act of 1974 (20 U.S.C. Section 1232g) and may, if necessary
 72-67 to comply with that act, create a private portal for school district
 72-68 board of trustees or open-enrollment charter school governing body
 72-69

73-1 members, school administrators, and school counselors at a high
 73-2 school to access data for the member's, administrator's, or
 73-3 counselor's school district or open-enrollment charter school.

73-4 (c) The agency shall ensure the data posted under Subsection
 73-5 (a) is made available to:

73-6 (1) school district board of trustees and
 73-7 open-enrollment charter school governing body members and
 73-8 superintendents to assist in adopting college, career, and military
 73-9 readiness plans under Section 11.186; and

73-10 (2) school counselors at a high school to assist the
 73-11 counselors in performing the duties under Section 33.007.

73-12 Sec. 7.043. STATEWIDE GOAL FOR CAREER READINESS. (a) Using
 73-13 the data posted under Section 7.0405(a), the agency shall create a
 73-14 quantifiable statewide goal for public school students to achieve
 73-15 career readiness, including by attaining a workforce-aligned
 73-16 credential while in high school.

73-17 (b) The agency shall update the goal created under
 73-18 Subsection (a) at least once every five years.

73-19 SECTION 6.03. Section 11.186, Education Code, is amended by
 73-20 amending Subsections (b) and (c) and adding Subsections (d), (e),
 73-21 and (f) to read as follows:

73-22 (b) Each plan adopted under Subsection (a) must:

73-23 (1) identify annual goals for students in each group
 73-24 evaluated under the closing the gaps domain under Section
 73-25 39.053(c)(3);

73-26 (2) include an annual goal [~~goals~~] for aggregate
 73-27 student growth on each college, career, and military readiness
 73-28 indicator [~~indicators~~] evaluated under the student achievement
 73-29 domain under Section 39.053(c)(1);

73-30 (3) include specific annual goals for student
 73-31 completion of postsecondary credentials, including industry-based
 73-32 credentials, level one or level two certificates as defined by the
 73-33 agency, and associate degrees, while enrolled in high school;

73-34 (4) include annual goals for the outcomes of the
 73-35 district's annual graduates at one, three, and five years after
 73-36 graduation from high school, including goals for:

73-37 (A) the rate of enrollment at a postsecondary
 73-38 educational institution;

73-39 (B) the percentage of graduates who enroll at a
 73-40 postsecondary educational institution and do not require remedial
 73-41 postsecondary coursework;

73-42 (C) the rate of persistence at a postsecondary
 73-43 educational institution in each of the first two years of
 73-44 enrollment;

73-45 (D) the rate of completion of a postsecondary
 73-46 degree, certificate, or other credentialing program; and

73-47 (E) wages earned;

73-48 (5) assign at least one district-level administrator
 73-49 or employee of the regional education service center for the
 73-50 district's region to:

73-51 (A) coordinate implementation of the plan; and

73-52 (B) submit an annual report to the board of
 73-53 trustees, the agency, and the Legislative Budget Board on the
 73-54 district's performance and progress toward the goals set under the
 73-55 plan; and

73-56 (6) [~~(4)~~] be reviewed and approved by majority vote
 73-57 annually by the board of trustees at a public meeting.

73-58 (c) In identifying and including goals in each plan adopted
 73-59 under Subsection (a) as provided by Subsection (b), the board of
 73-60 trustees shall use longitudinal student outcomes data posted under
 73-61 Section 7.0405(a) and any other resources available to the board.

73-62 (d) A school district shall post the annual report described
 73-63 by Subsection (b)(5)(B) [~~(b)(3)(B)~~] on the district's Internet
 73-64 website and on the Internet website, if any, of each campus in the
 73-65 district not later than two weeks before the date of the public
 73-66 meeting at which the report is reviewed and approved as required by
 73-67 Subsection (b)(6). The district shall update the annual report on
 73-68 each Internet website if any modifications are made to the report by
 73-69 the board of trustees.

74-1 (e) The commissioner by rule shall establish a deadline for
 74-2 the submission of the annual reports described by Subsection
 74-3 (b)(5)(B). The agency shall compile and make publicly accessible on
 74-4 the agency's Internet website the annual reports.

74-5 (f) The agency may evaluate the goals identified or included
 74-6 in an annual report described by Subsection (b)(5)(B) to determine
 74-7 whether those goals align with state secondary, postsecondary, and
 74-8 workforce goals.

74-9 SECTION 6.04. Section 28.0095, Education Code, is amended
 74-10 by adding Subsection (c-1) to read as follows:

74-11 (c-1) Notwithstanding Subsection (c)(1)(A), a student
 74-12 otherwise described by Subsection (c) is eligible to enroll at no
 74-13 cost in a dual credit course under the program if the student has
 74-14 graduated from high school but is:

74-15 (1) enrolled in a school district or open-enrollment
 74-16 charter school at a campus designated as a P-TECH school under
 74-17 Section 29.556 or in a school district participating in a
 74-18 partnership under Section 29.912; and

74-19 (2) completing a course of study offered through an
 74-20 articulation agreement or memorandum of understanding with an
 74-21 institution of higher education and the district or school
 74-22 described by Subdivision (1), as applicable, under the Pathways in
 74-23 Technology Early College High School (P-TECH) program under
 74-24 Subchapter N, Chapter 29, or the Rural Pathway Excellence
 74-25 Partnership (R-PEP) program under Section 29.912.

74-26 SECTION 6.05. Section 29.182(b), Education Code, is amended
 74-27 to read as follows:

74-28 (b) The state plan must include procedures designed to
 74-29 ensure that:

74-30 (1) all secondary and postsecondary students have the
 74-31 opportunity to participate in career and technology education
 74-32 programs;

74-33 (2) the state complies with requirements for
 74-34 supplemental federal career and technology education funding;

74-35 (3) career and technology education is established as
 74-36 a part of the total education system of this state and constitutes
 74-37 an option for student learning that provides a rigorous course of
 74-38 study consistent with the required curriculum under Section 28.002
 74-39 and under which a student may receive specific education in a career
 74-40 and technology program that:

74-41 (A) incorporates competencies leading to
 74-42 academic and technical skill attainment;

74-43 (B) leads to:
 74-44 (i) an industry-recognized license,
 74-45 credential, or certificate; or
 74-46 (ii) at the postsecondary level, an
 74-47 associate or baccalaureate degree;

74-48 (C) includes opportunities for students to earn
 74-49 college credit for coursework; and

74-50 (D) includes, as an integral part of the program,
 74-51 participation by students and teachers in activities of career and
 74-52 technical student organizations supported by the agency and the
 74-53 State Board of Education; ~~and~~

74-54 (4) a school district provides, to the greatest extent
 74-55 possible, to a student participating in a career and technology
 74-56 education program opportunities to enroll in dual credit courses
 74-57 designed to lead to a degree, license, or certification as part of
 74-58 the program; and

74-59 (5) a course of study offered under a Junior Reserve
 74-60 Officers' Training Corps program established under 10 U.S.C.
 74-61 Section 2031 is considered a career and technology education
 74-62 program.

74-63 SECTION 6.06. Sections 29.190(a-1), (b), and (c), Education
 74-64 Code, are amended to read as follows:

74-65 (a-1) A student may not receive more than two subsidies ~~[one~~
 74-66 ~~subsidy]~~ under this section.

74-67 (b) A teacher is entitled to a subsidy under this section if
 74-68 the teacher passes a certification examination related to career
 74-69 and technology education ~~[cybersecurity]~~.

75-1 (c) On approval by the commissioner, the agency shall pay
 75-2 each school district an amount equal to the cost paid by the
 75-3 district for a certification examination under this section,
 75-4 including any costs paid for associated fingerprinting or criminal
 75-5 history record information review. To obtain reimbursement for a
 75-6 subsidy paid under this section, a district must:

75-7 (1) pay the costs described by this subsection [~~fee~~
 75-8 ~~for the examination~~]; and

75-9 (2) submit to the commissioner a written application
 75-10 on a form prescribed by the commissioner stating the amount of the
 75-11 costs [~~fee~~] paid under Subdivision (1) [~~for the certification~~
 75-12 ~~examination~~].

75-13 SECTION 6.07. Subchapter 7, Chapter 29, Education Code, is
 75-14 amended by adding Section 29.9016 to read as follows:

75-15 Sec. 29.9016. MILITARY PATHWAY GRANT PROGRAM. (a) The
 75-16 agency shall establish a grant program to provide money to school
 75-17 districts to implement a program under which the district:

75-18 (1) establishes a Junior Reserve Officers' Training
 75-19 Corps program under 10 U.S.C. Section 2031 for students enrolled in
 75-20 high school in the district;

75-21 (2) annually administers the Armed Services
 75-22 Vocational Aptitude Battery test to each student participating in
 75-23 the program described by Subdivision (1); and

75-24 (3) provides college and career counseling at least
 75-25 once per year to each student administered the Armed Services
 75-26 Vocational Aptitude Battery test under Subdivision (2) based on the
 75-27 results of the test.

75-28 (b) The amount of each grant awarded under the grant program
 75-29 is \$50,000.

75-30 (c) The total amount of grants awarded under the grant
 75-31 program for a school year may not exceed \$2 million.

75-32 SECTION 6.08. Section 29.912, Education Code, is amended by
 75-33 adding Subsection (c-1) and amending Subsection (j) to read as
 75-34 follows:

75-35 (c-1) A school district that has participated in the program
 75-36 may continue to participate in the program regardless of the number
 75-37 of students in average daily attendance in the district for the
 75-38 current school year.

75-39 (j) The commissioner shall make grants available for use by
 75-40 a coordinating entity for a two-year period to assist with costs
 75-41 associated with the planning, development, establishment, or
 75-42 expansion, as applicable, of partnerships under the program using
 75-43 [~~a portion of state funds allocated under Section 48.118 as well as~~]
 75-44 money appropriated for that purpose, federal funds, and any other
 75-45 funds available. The commissioner may award a grant only to a
 75-46 coordinating entity that has entered into a performance agreement
 75-47 approved under Subsection (i) or, if in the planning stage, has
 75-48 entered into a memorandum of understanding to enter into a
 75-49 performance agreement, unless the source of funds does not permit a
 75-50 grant to the coordinating entity, in which case the grant shall be
 75-51 made to a participating school district acting as fiscal agent.
 75-52 Eligible use of grant funds shall include planning, development,
 75-53 establishment, or expansion of partnerships under the program. The
 75-54 commissioner may use not more than 15 percent of the money allocated
 75-55 for the grants to cover the cost of administering grants awarded
 75-56 under the program and to provide technical assistance and support
 75-57 to partnerships under the program. The total amount of grants
 75-58 awarded under this subsection for a school year may not exceed \$5
 75-59 million.

75-60 SECTION 6.09. Section 33.007, Education Code, is amended by
 75-61 amending Subsection (b) and adding Subsection (d) to read as
 75-62 follows:

75-63 (b) During the first school year a student is enrolled in a
 75-64 high school or at the high school level in an open-enrollment
 75-65 charter school, and again during each year of a student's
 75-66 enrollment in high school or at the high school level, a school
 75-67 counselor shall provide information about postsecondary education
 75-68 to the student and the student's parent or guardian. The
 75-69 information must include information regarding:

- 76-1 (1) the importance of postsecondary education,
 76-2 including career readiness and workforce training opportunities;
 76-3 (2) the advantages of earning an endorsement and a
 76-4 performance acknowledgment and completing the distinguished level
 76-5 of achievement under the foundation high school program under
 76-6 Section 28.025;
 76-7 (3) the disadvantages of taking courses to prepare for
 76-8 a high school equivalency examination relative to the benefits of
 76-9 taking courses leading to a high school diploma;
 76-10 (4) financial aid eligibility;
 76-11 (5) instruction on how to apply for federal financial
 76-12 aid;
 76-13 (6) the center for financial aid information
 76-14 established under Section 61.0776;
 76-15 (7) the automatic admission of certain students to
 76-16 general academic teaching institutions as provided by Section
 76-17 51.803;
 76-18 (8) the eligibility and academic performance
 76-19 requirements for the TEXAS Grant as provided by Subchapter M,
 76-20 Chapter 56;
 76-21 (9) the availability of programs in the district under
 76-22 which a student may earn college credit, including advanced
 76-23 placement programs, dual credit programs, joint high school and
 76-24 college credit programs, and international baccalaureate programs;
 76-25 (10) the availability of education and training
 76-26 vouchers and tuition and fee waivers to attend an institution of
 76-27 higher education as provided by Section 54.366 for a student who is
 76-28 or was previously in the conservatorship of the Department of
 76-29 Family and Protective Services; ~~and~~
 76-30 (11) the availability of college credit awarded by
 76-31 institutions of higher education to veterans and military
 76-32 servicemembers for military experience, education, and training
 76-33 obtained during military service as described by the informational
 76-34 materials developed under Section 302.0031(h), Labor Code;
 76-35 (12) opportunities to complete career training and
 76-36 obtain a postsecondary credential while enrolled in high school,
 76-37 whether at the student's campus, another campus in the school
 76-38 district or open-enrollment charter school, or an educational
 76-39 institution that partners with the district or school, including
 76-40 information regarding program costs, program completion rates, and
 76-41 the average wages of students who complete the program; and
 76-42 (13) the outcomes of graduates from the campus and
 76-43 school district or open-enrollment charter school in which the
 76-44 student is enrolled, including completion rates and average wages
 76-45 based on postsecondary pathways available to those graduates at the
 76-46 campus, district, or school using data posted under Section
 76-47 7.0405(a).
 76-48 (d) The agency shall make available to school counselors an
 76-49 annual online training regarding statewide trends identified in the
 76-50 data posted under Section 7.0405(a). The training must include
 76-51 information to assist school counselors in identifying the
 76-52 postsecondary outcomes for students at the counselor's campus and
 76-53 school district or open-enrollment charter school for purposes of
 76-54 performing the counselor's duties under this section.
 76-55 SECTION 6.10. The heading to Section 39.0261, Education
 76-56 Code, is amended to read as follows:
 76-57 Sec. 39.0261. COLLEGE PREPARATION AND CAREER READINESS
 76-58 ASSESSMENTS.
 76-59 SECTION 6.11. Section 39.0261(a), Education Code, is
 76-60 amended to read as follows:
 76-61 (a) In addition to the assessment instruments otherwise
 76-62 authorized or required by this subchapter:
 76-63 (1) each school year and at state cost, a school
 76-64 district may administer to students in the spring of the eighth
 76-65 grade an established, valid, reliable, and nationally
 76-66 norm-referenced preliminary college preparation assessment
 76-67 instrument for the purpose of diagnosing the academic strengths and
 76-68 deficiencies of students before entrance into high school;
 76-69 (2) each school year and at state cost, a school

77-1 district may administer to students in the 10th grade an
 77-2 established, valid, reliable, and nationally norm-referenced
 77-3 preliminary college preparation assessment instrument for the
 77-4 purpose of measuring a student's progress toward readiness for
 77-5 college and the workplace; and

77-6 (3) high school students in the spring of the 11th
 77-7 grade or during the 12th grade may select and take once, at state
 77-8 cost:

77-9 (A) one of the valid, reliable, and nationally
 77-10 norm-referenced assessment instruments used by colleges and
 77-11 universities as part of their undergraduate admissions processes;
 77-12 [~~or~~]

77-13 (B) the assessment instrument designated by the
 77-14 Texas Higher Education Coordinating Board under Section 51.334; or

77-15 (C) a nationally recognized career readiness
 77-16 assessment instrument that measures foundational workforce skills
 77-17 approved by commissioner rule.

77-18 SECTION 6.12. Section 39.053, Education Code, is amended by
 77-19 amending Subsections (a), (c), and (f) and adding Subsections
 77-20 (c-4), (f-1), (f-2), (f-3), and (f-4) to read as follows:

77-21 (a) The commissioner shall adopt a set of indicators of the
 77-22 quality of learning and achievement, including the indicators under
 77-23 Subsection (c). The commissioner periodically shall review the
 77-24 indicators for the consideration of appropriate revisions and may,
 77-25 if the commissioner determines an indicator otherwise required
 77-26 under this subchapter is not valid or reliable, exclude the
 77-27 indicator from the set of indicators adopted under this section.

77-28 (c) School districts and campuses must be evaluated based on
 77-29 three domains of indicators of achievement adopted under this
 77-30 section that include:

77-31 (1) in the student achievement domain, indicators of
 77-32 student achievement that must include:

77-33 (A) for evaluating the performance of districts
 77-34 and campuses generally:

77-35 (i) an indicator that accounts for the
 77-36 results of assessment instruments required under Sections
 77-37 39.023(a), (c), and (l), as applicable for the district and campus,
 77-38 including the results of assessment instruments required for
 77-39 graduation retaken by a student, aggregated across grade levels by
 77-40 subject area, including:

77-41 (a) for the performance standard
 77-42 determined by the commissioner under Section 39.0241(a), the
 77-43 percentage of students who performed satisfactorily on the
 77-44 assessment instruments, aggregated across grade levels by subject
 77-45 area; and

77-46 (b) for the college readiness
 77-47 performance standard as determined under Section 39.0241, the
 77-48 percentage of students who performed satisfactorily on the
 77-49 assessment instruments, aggregated across grade levels by subject
 77-50 area; and

77-51 (ii) an indicator that accounts for the
 77-52 results of assessment instruments required under Section
 77-53 39.023(b), as applicable for the district and campus, including the
 77-54 percentage of students who performed satisfactorily on the
 77-55 assessment instruments, as determined by the performance standard
 77-56 adopted by the agency, aggregated across grade levels by subject
 77-57 area; and

77-58 (B) for evaluating the performance of high school
 77-59 campuses and districts that include high school campuses,
 77-60 indicators that account for:

77-61 (i) students who satisfy the Texas Success
 77-62 Initiative (TSI) college readiness benchmarks prescribed by the
 77-63 Texas Higher Education Coordinating Board under Section 51.334 on
 77-64 an assessment instrument in reading or mathematics designated by
 77-65 the coordinating board under that section;

77-66 (ii) students who satisfy relevant
 77-67 performance standards on advanced placement tests or similar
 77-68 assessments;

77-69 (iii) students who earn dual course credits

78-1 in the dual credit courses;
78-2 (iv) students who demonstrate military
78-3 readiness:
78-4 (a) through verified enlistment
78-5 [~~enlist~~] in the armed forces of the United States or the Texas
78-6 National Guard; or
78-7 (b) by achieving a passing score set
78-8 by the commissioner on the Armed Services Vocational Aptitude
78-9 Battery Test and successfully completing a Junior Reserve Officers'
78-10 Training Corps program established under 10 U.S.C. Section 2031;
78-11 (v) students who earn industry
78-12 certifications;
78-13 (vi) students admitted into postsecondary
78-14 industry certification programs that require as a prerequisite for
78-15 entrance successful performance at the secondary level;
78-16 (vii) students whose successful completion
78-17 of a course or courses under Section 28.014 indicates the student's
78-18 preparation to enroll and succeed, without remediation, in an
78-19 entry-level general education course for a baccalaureate degree or
78-20 associate degree;
78-21 (viii) students who successfully met
78-22 standards on a composite of indicators that through research
78-23 indicates the student's preparation to enroll and succeed, without
78-24 remediation, in an entry-level general education course for a
78-25 baccalaureate degree or associate degree;
78-26 (ix) high school graduation rates, computed
78-27 in accordance with standards and definitions adopted in compliance
78-28 with the Every Student Succeeds Act (20 U.S.C. Section 6301 et seq.)
78-29 subject to the exclusions provided by Subsections (g), (g-1),
78-30 (g-2), (g-3), and (g-4);
78-31 (x) students who successfully completed an
78-32 OnRamps dual enrollment course;
78-33 (xi) students who successfully completed a
78-34 practicum or internship approved by the State Board of Education;
78-35 (xii) students who are awarded an associate
78-36 degree; and
78-37 (xiii) students who successfully completed
78-38 a program of study in career and technical education;
78-39 (2) in the school progress domain, indicators for
78-40 effectiveness in promoting student learning, which must include:
78-41 (A) for assessment instruments, including
78-42 assessment instruments under Subdivisions (1)(A)(i) and (ii), the
78-43 percentage of students who met the standard for improvement, as
78-44 determined by the commissioner; and
78-45 (B) for evaluating relative performance, the
78-46 performance of districts and campuses compared to similar districts
78-47 or campuses; and
78-48 (3) in the closing the gaps domain, the use of
78-49 disaggregated data to demonstrate the differentials among students
78-50 from different racial and ethnic groups and [~~7~~] socioeconomic
78-51 backgrounds [~~7~~, and other factors, including:
78-52 [~~(A) students formerly receiving special~~
78-53 ~~education services;~~
78-54 [~~(B) students continuously enrolled; and~~
78-55 [~~(C) students who are mobile~~].
78-56 (c-4) The agency shall study the college, career, and
78-57 military readiness indicators adopted under Subsection (c) to
78-58 determine the correlation of each indicator with postsecondary
78-59 success, including the correlation of industry certifications with
78-60 wages and available jobs. The value assigned to each indicator must
78-61 be:
78-62 (1) based on the strength of the indicator's
78-63 correlation with successful outcomes; and
78-64 (2) updated in accordance with Subsection (f-1).
78-65 (f) Annually, the commissioner shall define and may modify
78-66 the state standards [~~standard for the current school year~~] for each
78-67 [achievement] indicator adopted under this subchapter in
78-68 [section. In] consultation with educators, parents, and business
78-69 and industry representatives, as necessary. The [~~7~~the]

79-1 commissioner shall increase the rigor by which the commissioner
 79-2 determines the overall performance ratings under Section 39.054(a)
 79-3 [establish and modify standards] to continuously improve student
 79-4 performance to, not later than the 15th year after the date the
 79-5 commissioner modifies the performance standards under Subsection
 79-6 (f-1), achieve the goals of:

79-7 (1) eliminating achievement gaps based on race,
 79-8 ethnicity, and socioeconomic status; and

79-9 (2) ensuring [to ensure] this state ranks nationally
 79-10 [is a national leader] in the top five states in preparing students
 79-11 for postsecondary success and on the National Assessment of
 79-12 Educational Progress or its successor assessment.

79-13 (f-1) Beginning with the indicators adopted for the
 79-14 2027-2028 school year and as required to meet the goals under
 79-15 Subsection (f), the commissioner shall increase the scores needed
 79-16 to achieve performance standards on indicators adopted under this
 79-17 subchapter only every fifth school year unless an indicator adopted
 79-18 under Subsection (c) requires adjustment before that school year to
 79-19 ensure consistency of performance standards.

79-20 (f-2) To the extent practicable, for each of the two school
 79-21 years preceding a school year the commissioner increases a score
 79-22 under Subsection (f-1), the commissioner shall report, in a manner
 79-23 that can be reviewed by school administrators, the overall
 79-24 performance of school districts and campuses under that increased
 79-25 score.

79-26 (f-3) In reporting the performance of school districts and
 79-27 campuses on indicators adopted under this subchapter for a school
 79-28 year in which the score needed to achieve performance standards on
 79-29 one or more of those indicators was increased under Subsection
 79-30 (f-1), the commissioner shall include in the report an
 79-31 informational report on the performance of districts and campuses
 79-32 during the preceding school year under the increased score.

79-33 (f-4) Notwithstanding Subsection (f), the commissioner may
 79-34 define state standards for an indicator adopted under this
 79-35 subchapter for multiple school years provided that the commissioner
 79-36 annually affirms that those standards are applicable to the current
 79-37 school year. The commissioner is not required to adopt the
 79-38 affirmation described by this subsection by rule.

79-39 SECTION 6.13. Subchapter C, Chapter 39, Education Code, is
 79-40 amended by adding Section 39.0531 to read as follows:

79-41 Sec. 39.0531. INDUSTRY CERTIFICATION LIST. (a) The agency
 79-42 shall maintain a list of industry certifications that are eligible
 79-43 for purposes of Section 39.053(c)(1)(B)(v). In developing the
 79-44 list, the agency shall consider the inventory of
 79-45 industry-recognized certifications developed under Section
 79-46 312.003, Labor Code. The certifications must:

79-47 (1) be aligned to a program of study that, according to
 79-48 labor market data, prepares students for high-wage, high-skill,
 79-49 in-demand occupations;

79-50 (2) allow students to demonstrate mastery of the
 79-51 skills required for occupations within an approved program of
 79-52 study; and

79-53 (3) be obtained through an assessment of the knowledge
 79-54 and skills provided by or determined by an independent, third-party
 79-55 certifying entity using predetermined standards for knowledge,
 79-56 skills, and competencies.

79-57 (b) The agency shall review the eligibility of industry
 79-58 certifications under Subsection (a), including whether the
 79-59 programs of study for those certifications still meet the
 79-60 requirements under that subsection:

79-61 (1) in consultation with the advisory council
 79-62 established under Chapter 312, Labor Code; and

79-63 (2) to the extent practicable, concurrently with the
 79-64 modification of performance standards under Section 39.053(f-1).

79-65 (c) If, after reviewing an industry certification under
 79-66 Subsection (b), the agency determines the certification is no
 79-67 longer eligible for purposes of Section 39.053(c)(1)(B)(v) and
 79-68 should be removed from the list maintained under Subsection (a),
 79-69 the agency shall, to the extent practicable, post on the agency's

80-1 Internet website information regarding the removal of the
 80-2 certification not later than two years before the date the agency
 80-3 intends to remove the certification from the list.

80-4 (d) During the three years following an agency's
 80-5 determination under Subsection (c) that an industry certification
 80-6 is no longer eligible for purposes of Section 39.053(c)(1)(B)(v), a
 80-7 school district may receive the benefit of achievement indicators
 80-8 based on that industry certification for purposes of Section
 80-9 39.053(c) only for a cohort of students who:

80-10 (1) were participating in the program of study aligned
 80-11 with that certification during the school year the agency
 80-12 determines the certification is no longer eligible; and

80-13 (2) earn the certification within the three-year
 80-14 period.

80-15 SECTION 6.14. Section 45.105(c), Education Code, is amended
 80-16 to read as follows:

80-17 (c) Local school funds from district taxes, tuition fees of
 80-18 students not entitled to a free education, other local sources, and
 80-19 state funds not designated for a specific purpose may be used for
 80-20 the purposes listed for state and county available funds and for
 80-21 purchasing appliances and supplies, paying insurance premiums,
 80-22 paying janitors and other employees, buying school sites, buying,
 80-23 building, repairing, and renting school buildings, including
 80-24 acquiring school buildings and sites by leasing through annual
 80-25 payments with an ultimate option to purchase, providing advising
 80-26 support as described by Section 48.0035(1), and educating students
 80-27 as described by Section 48.0035(2), and, except as provided by
 80-28 Subsection (c-1), for other purposes necessary in the conduct of
 80-29 the public schools determined by the board of trustees. The
 80-30 accounts and vouchers for county districts must be approved by the
 80-31 county superintendent. If the state available school fund in any
 80-32 municipality or district is sufficient to maintain the schools in
 80-33 any year for at least eight months and leave a surplus, the surplus
 80-34 may be spent for the purposes listed in this subsection.

80-35 SECTION 6.15. Subchapter A, Chapter 48, Education Code, is
 80-36 amended by adding Section 48.0035 to read as follows:

80-37 Sec. 48.0035. USE OF FUNDING FOR CERTAIN PURPOSES. A school
 80-38 district may use funding to which the district is entitled under
 80-39 this chapter to:

80-40 (1) provide district graduates, during the first two
 80-41 years after high school graduation, advising support toward the
 80-42 successful completion of a certificate or degree program at a
 80-43 public institution of higher education or a postsecondary
 80-44 vocational training program; and

80-45 (2) educate a student who has graduated from high
 80-46 school but is enrolled in the district in a program through which
 80-47 the student may earn dual credit, including the Pathways in
 80-48 Technology Early College High School (P-TECH) program under
 80-49 Subchapter N, Chapter 29, and the Rural Pathway Excellence
 80-50 Partnership (R-PEP) program under Section 29.912.

80-51 SECTION 6.16. Section 48.106, Education Code, is amended by
 80-52 amending Subsection (a-1) and adding Subsections (a-2) and (a-3) to
 80-53 read as follows:

80-54 (a-1) In addition to the amounts under Subsection (a), for
 80-55 each student in average daily attendance enrolled in a campus
 80-56 designated as a P-TECH school under Section 29.556, a district is
 80-57 entitled to \$150 [~~\$50 for each of the following in which the student~~
 80-58 is enrolled.

80-59 [(1) a campus designated as a P-TECH school under
 80-60 Section 29.556, or

80-61 [(2) a campus that is a member of the New Tech Network
 80-62 and that focuses on project-based learning and work-based
 80-63 education].

80-64 (a-2) A district is entitled to funding under Subsection
 80-65 (a-1) for a student who has graduated from high school but is
 80-66 enrolled in the district in a program offered under Subchapter N,
 80-67 Chapter 29, through which the student may earn dual credit. The
 80-68 district is not entitled to any other funding under this chapter for
 80-69 a student described by this subsection.

81-1 (a-3) Notwithstanding Subsection (a), the total amount that
 81-2 may be used to provide allotments under Subsection (a) for courses
 81-3 described by Subsection (b)(1)(A)(ii) for a school year may not
 81-4 exceed \$20 million. If the total amount of allotments to which
 81-5 school districts are entitled under Subsection (a) for those
 81-6 courses for a school year exceeds the amount permitted under this
 81-7 subsection, the commissioner shall proportionately reduce each
 81-8 district's allotment under Subsection (a).

81-9 SECTION 6.17. Sections 48.106(b)(1) and (1-a), Education
 81-10 Code, are amended to read as follows:

81-11 (1) "Approved career and technology education
 81-12 program":

81-13 (A) means:

81-14 (i) a sequence of career and technology
 81-15 education courses, including technology applications courses,
 81-16 authorized by the State Board of Education; and

81-17 (ii) courses offered under a Junior Reserve
 81-18 Officers' Training Corps program established under 10 U.S.C.
 81-19 Section 2031; and

81-20 (B) includes only courses that qualify for high
 81-21 school credit.

81-22 (1-a) "Approved program of study" means a course
 81-23 sequence that:

81-24 (A) provides students with the knowledge and
 81-25 skills necessary for success in the students' chosen careers,
 81-26 including the military; and

81-27 (B) is approved by the agency for purposes of the
 81-28 Strengthening Career and Technical Education for the 21st Century
 81-29 Act (Pub. L. No. 115-224).

81-30 SECTION 6.18. Section 48.118, Education Code, is amended by
 81-31 adding Subsection (a-3) and amending Subsection (f) to read as
 81-32 follows:

81-33 (a-3) Notwithstanding Subsection (a), a school district
 81-34 described by Section 29.912(c-1) may receive funding under this
 81-35 section for up to 110 percent of the number of students who
 81-36 qualified under Subsection (a) for the school year immediately
 81-37 preceding the school year in which the district's enrollment first
 81-38 reached 1,600 or more.

81-39 (f) The total amount of state funding for allotments and
 81-40 outcomes bonuses under this section may not exceed \$20 [~~\$5~~] million
 81-41 per year. If the total amount of allotments and outcomes bonuses to
 81-42 which school districts are entitled under this section exceeds the
 81-43 amount permitted under this subsection, the agency shall allocate
 81-44 state funding to districts under this section in the following
 81-45 order:

81-46 (1) [~~allotments under Subsection (a) for which school~~
 81-47 ~~districts participating in partnerships prioritized under Section~~
 81-48 ~~29.912(h) are eligible,~~

81-49 [~~(2)~~] allotments under Subsection (a) for which school
 81-50 districts that entered into a memorandum of understanding or letter
 81-51 of commitment regarding a multidistrict pathway partnership, as
 81-52 defined by commissioner rule, before May 1, 2023, are eligible;

81-53 (2) [~~(3)~~] allotments under Subsection (a) for which
 81-54 school districts that have entered into a performance agreement
 81-55 under Section 29.912 with a coordinating entity that is an
 81-56 institution of higher education, as defined by Section 61.003, are
 81-57 eligible;

81-58 (3) [~~(4)~~] allotments under Subsection (a) for which
 81-59 school districts with the highest percentage of students who are
 81-60 educationally disadvantaged, in descending order, are eligible;
 81-61 and

81-62 (4) [~~(5)~~] outcomes bonuses under Subsection (c) for
 81-63 which school districts with the highest percentage of students who
 81-64 are educationally disadvantaged, in descending order, are
 81-65 eligible.

81-66 SECTION 6.19. Section 48.152(a)(2), Education Code, is
 81-67 amended to read as follows:

81-68 (2) "New instructional facility" includes:

81-69 (A) a newly constructed instructional facility;

(B) a repurposed instructional facility; ~~and~~

(C) a leased facility operating for the first time as an instructional facility with a minimum lease term of not less than 10 years; and

(D) a renovated portion of an instructional facility to be used for the first time to provide high-cost and undersubscribed career and technology education programs, as determined by the commissioner.

SECTION 6.20. Section 48.152(f), Education Code, is amended to read as follows:

(f) The amount appropriated for allotments under this section may not exceed \$150 ~~[\$100]~~ million in a school year. If the total amount of allotments to which districts are entitled under this section for a school year exceeds the amount appropriated under this subsection, the commissioner:

(1) shall reduce each district's allotment under this section in the manner provided by Section 48.266(f); and

(2) for new instructional facilities described by Subsection (a)(2)(D), may remove a career and technology education program from the list of programs that qualify under that subsection.

SECTION 6.21. The heading to Section 48.155, Education Code, is amended to read as follows:

Sec. 48.155. COLLEGE PREPARATION AND CAREER READINESS ASSESSMENT REIMBURSEMENT.

SECTION 6.22. Section 48.156, Education Code, is amended to read as follows:

Sec. 48.156. CERTIFICATION EXAMINATION REIMBURSEMENT. (a) A school district is entitled to reimbursement for the amount of a subsidy paid by the district for not more than two [a student's] certification examinations per student [examination] under Section 29.190(a), including costs paid for associated fingerprinting or criminal history record information review, as provided by Section 29.190(c).

(b) Notwithstanding Subsection (a), the total amount that may be used for reimbursement under that subsection for a school year may not exceed \$15 million, of which not more than \$500,000 may be used to reimburse the costs of fingerprinting or criminal history record information review. If the total amount to which school districts are entitled under Subsection (a) exceeds the amount permitted under this subsection, the commissioner shall proportionately reduce each school district's entitlement under this section.

SECTION 6.23. (a) This section takes effect only if S.B. 1786, 89th Legislature, Regular Session, 2025, becomes law.

(b) Section 204.0025, Labor Code, is amended to read as follows:

Sec. 204.0025. ADDITIONAL WORKFORCE DATA REPORTING. The commission shall [It is the intent of the legislature that the commission, subject to the availability of federal funding or other resources for the purpose,] work with employers to enhance the reporting of employment and earnings data by employers to the commission as part of an employer's routine wage filings under this subtitle or commission rule and consistent with federal law and regulations. The enhanced wage filings must include information related to wage, industry, occupational field, full-time and part-time status, county of primary employment, remote work status, [occupation] and other important employment information necessary to conduct the assessment required under Section 302.0205 [that would improve the state's labor market information].

SECTION 6.24. (a) This section takes effect only if S.B. 1786, 89th Legislature, Regular Session, 2025, does not become law.

(b) Section 204.0025, Labor Code, is amended to read as follows:

Sec. 204.0025. ADDITIONAL WORKFORCE DATA REPORTING. The commission shall [It is the intent of the legislature that the commission, subject to the availability of federal funding or other resources for the purpose,] work with employers to enhance the reporting of employment and earnings data by employers to the

83-1 commission as part of an employer's routine wage filings under this
 83-2 subtitle or commission rule and consistent with federal law and
 83-3 regulations. The enhanced wage filings must include information
 83-4 related to wage, industry, occupational field, full-time and
 83-5 part-time status, county of primary employment, remote work status,
 83-6 [occupation] and other important employment information that would
 83-7 improve the state's labor market information.

83-8 SECTION 6.25. The heading to Section 312.003, Labor Code,
 83-9 is amended to read as follows:

83-10 Sec. 312.003. INVENTORY OF CERTIFICATIONS [~~CREDENTIALS AND~~
 83-11 ~~CERTIFICATES~~].

83-12 SECTION 6.26. Sections 312.003(a), (b), (c), and (d), Labor
 83-13 Code, are amended to read as follows:

83-14 (a) The advisory council shall develop an inventory of
 83-15 industry-recognized certifications [~~credentials and certificates~~]
 83-16 that may be earned by a public high school student through a career
 83-17 and technology education program and that:

83-18 (1) are aligned to state and regional workforce needs;
 83-19 [~~and~~]

83-20 (2) serve as an entry point to middle- and high-wage
 83-21 jobs; and

83-22 (3) meet the requirements of Section 39.0531(a),
 83-23 Education Code.

83-24 (b) The inventory must include for each certification
 83-25 [~~credential or certificate~~]:

83-26 (1) the associated career cluster;

83-27 (2) the awarding entity;

83-28 (3) the level of education required and any additional
 83-29 requirements for the certification [~~credential or certificate~~];

83-30 (4) any fees for obtaining the certification
 83-31 [~~credential or certificate~~]; and

83-32 (5) the average wage or salary for jobs that require or
 83-33 prefer the certification [~~credential or certificate~~].

83-34 (c) In developing the inventory, the advisory council may
 83-35 consult with local workforce boards, the Texas Workforce Investment
 83-36 Council, the Texas Economic Development and Tourism Office, the
 83-37 Texas Education Agency, and the Texas Higher Education Coordinating
 83-38 Board.

83-39 (d) The advisory council shall establish a process for
 83-40 developing the inventory, including the criteria for the inclusion
 83-41 of a certification [~~credential or certificate~~] in the inventory.

83-42 SECTION 6.27. Section 29.912(h), Education Code, is
 83-43 repealed.

83-44 SECTION 6.28. The Texas Education Agency shall first update
 83-45 the statewide goal for career readiness created under Section
 83-46 7.043(a), Education Code, as added by this article, in accordance
 83-47 with Subsection (b) of that section not later than the 2028-2029
 83-48 school year.

83-49 SECTION 6.29. Sections 28.0095(c-1) and 29.9016, Education
 83-50 Code, as added by this article, and Sections 29.190, 29.912,
 83-51 33.007(b), and 39.0261(a), Education Code, as amended by this
 83-52 article, apply beginning with the 2025-2026 school year.

83-53 SECTION 6.30. To the extent of any conflict between the
 83-54 changes made to the Education Code by this article and the changes
 83-55 made to the Education Code by another Act of the 89th Legislature,
 83-56 Regular Session, 2025, the changes made by this article prevail.

83-57 SECTION 6.31. The changes in law made by Section 39.053,
 83-58 Education Code, as amended by this article, and Section 39.0531,
 83-59 Education Code, as added by this article, apply to accountability
 83-60 ratings beginning with the 2027-2028 school year.

83-61 SECTION 6.32. (a) Except as provided by Subsection (b) of
 83-62 this section and as otherwise provided by this article, this
 83-63 article takes effect immediately if this Act receives a vote of
 83-64 two-thirds of all the members elected to each house, as provided by
 83-65 Section 39, Article III, Texas Constitution. If this Act does not
 83-66 receive the vote necessary for immediate effect, this article takes
 83-67 effect September 1, 2025.

83-68 (b) The amendments by this article to Chapter 48, Education
 83-69 Code, take effect September 1, 2025.

ARTICLE 7. CHANGES RELATED TO PUBLIC EDUCATION AND PUBLIC SCHOOL FINANCE

SECTION 7.01. Subchapter C, Chapter 7, Education Code, is amended by adding Section 7.0611 to read as follows:

Sec. 7.0611. FACILITY USAGE REPORT. (a) In this section, "instructional facility" has the meaning assigned by Section 46.001.

(b) The agency by rule shall require each school district to annually report the following information in the form and manner prescribed by the agency:

(1) the square footage of each school district facility and the acreage of land on which each facility sits;

(2) the total student capacity for each instructional facility on a district campus;

(3) for each campus in the school district:
(A) the enrollment capacity of the campus and of each grade level offered at the campus; and

(B) the number of students currently enrolled at the campus and in each grade level offered at the campus;

(4) whether a school district facility is used by one or more campuses and the campus identifier of each campus that uses the facility;

(5) what each school district facility is used for, including:

(A) an instructional facility;

(B) a career and technology center;

(C) an administrative building;

(D) a food service facility;

(E) a transportation facility; and

(F) vacant land; and

(6) whether each school district facility is leased or owned.

(c) From the information submitted under Subsection (b), the agency shall produce and make available to the public on the agency's Internet website an annual report on school district land and facilities. The agency may combine the report required under this section with any other required report to avoid multiplicity of reports.

(d) If the agency determines information provided under Subsection (b) would create a security risk, such information is considered confidential for purposes of Chapter 552, Government Code, and may not be disclosed in the annual report under Subsection (c).

(e) The commissioner may adopt rules as necessary to implement this section. In adopting rules for determining the student capacity of a school district or district campus, the commissioner may consider the staffing, student-teacher ratio, and facility capacity of the district or campus.

SECTION 7.02. Section 12.106, Education Code, is amended by amending Subsections (a), (a-2), (d), (e), and (f) and adding Subsections (e-1), (e-2), and (f-1) to read as follows:

(a) A charter holder is entitled to receive for the open-enrollment charter school funding under Chapter 48 equal to the amount of funding per student in weighted average daily attendance to which the charter holder would be entitled for the school under that chapter if the school were a school district without a tier one local share for purposes of Section 48.266, excluding:

(1) the adjustment under Section 48.052;

(2) ~~the funding under Sections 48.101 and 48.110,~~ 48.111; ~~and 48.112,~~ and

(3) enrichment funding under Section 48.202(a) ~~to which the charter holder would be entitled for the school under Chapter 48 if the school were a school district without a tier one local share for purposes of Section 48.266.~~

(a-2) In addition to the funding provided by Subsection (a), a charter holder is entitled to receive for the open-enrollment charter school an allotment per student in average daily attendance in an amount equal to the difference between:

- 85-1 (1) the product of:
- 85-2 (A) the quotient of:
- 85-3 (i) the total amount of funding provided to
- 85-4 eligible school districts under Section 48.101(b) or (c); and
- 85-5 (ii) the total number of students in
- 85-6 average daily attendance in school districts that receive an
- 85-7 allotment under Section 48.101(b) or (c); and
- 85-8 (B) the sum of one and the quotient of:
- 85-9 (i) the total number of students in average
- 85-10 daily attendance in school districts that receive an allotment
- 85-11 under Section 48.101(b) or (c); and
- 85-12 (ii) the total number of students in
- 85-13 average daily attendance in school districts statewide; and
- 85-14 (2) \$300 [~~\$125~~].
- 85-15 (d) Subject to Subsections [Subsection] (e) and (e-2), in
- 85-16 addition to other amounts provided by this section, a charter
- 85-17 holder is entitled to receive, for the open-enrollment charter
- 85-18 school, an annual allotment [funding] per student in average daily
- 85-19 attendance [in an amount] equal to [the guaranteed level of state
- 85-20 and local funds per student per cent of tax effort under Section
- 85-21 46.032(a) multiplied by] the lesser of:
- 85-22 (1) the state average interest and sinking fund tax
- 85-23 rate imposed by school districts for the current year multiplied by
- 85-24 the guaranteed level of state and local funds per student per cent
- 85-25 of tax effort under Section 46.032(a); or
- 85-26 (2) the maximum amount of the basic allotment provided
- 85-27 under Section 48.051 for the applicable school year multiplied by
- 85-28 0.07 [a rate that would result in a total amount to which charter
- 85-29 schools are entitled under this subsection for the current year
- 85-30 equal to \$60 million].
- 85-31 (e) Subject to Subsection (e-1), a [A] charter holder is not
- 85-32 entitled to receive funding under Subsection (d) for an
- 85-33 open-enrollment charter school [only] if the school has been
- 85-34 assigned:
- 85-35 (1) an unacceptable [most recent overall] performance
- 85-36 rating [assigned to the open-enrollment charter school] under
- 85-37 Subchapter C, Chapter 39, for the two preceding school years;
- 85-38 (2) a financial accountability performance rating
- 85-39 under Subchapter D, Chapter 39, indicating a financial performance
- 85-40 lower than satisfactory for the two preceding school years; or
- 85-41 (3) any combination of the ratings described by
- 85-42 Subdivisions (1) and (2) for the two preceding school years
- 85-43 [reflects at least acceptable performance].
- 85-44 (e-1) Subsection (e) [This subsection] does not apply to a
- 85-45 charter holder:
- 85-46 (1) during the first two years of the applicable
- 85-47 open-enrollment charter school's operation; or
- 85-48 (2) that operates a school program located at a day
- 85-49 treatment facility, residential treatment facility, psychiatric
- 85-50 hospital, or medical hospital.
- 85-51 (e-2) A charter holder is entitled to receive funding under
- 85-52 Subsection (d) for an open-enrollment charter school only if the
- 85-53 governing body of the school annually certifies in writing to the
- 85-54 agency that none of the following derives any financial benefit
- 85-55 from a real estate transaction with the school:
- 85-56 (1) an administrator, officer, or employee of the
- 85-57 school;
- 85-58 (2) a member of the governing body of the school or its
- 85-59 charter holder; or
- 85-60 (3) a person related within the third degree by
- 85-61 consanguinity or second degree by affinity, as determined under
- 85-62 Chapter 573, Government Code, to a person described by Subdivision
- 85-63 (1) or (2).
- 85-64 (f) Funds received by a charter holder under Subsection (d):
- 85-65 (1) notwithstanding any other law, may not be used to
- 85-66 pay a salary, bonus, stipend, or any other form of compensation to a
- 85-67 school superintendent or administrator serving as educational
- 85-68 leader and chief executive officer of the school; and
- 85-69 (2) may only be used:

86-1 (A) [~~(1)~~] to lease an instructional facility;
 86-2 (B) [~~(2)~~] to pay property taxes imposed on an
 86-3 instructional facility;
 86-4 (C) [~~(3)~~] to pay debt service on bonds issued for
 86-5 a purpose for which a school district is authorized to issue bonds
 86-6 under Section 45.001(a)(1) or to pay for a purchase for which a
 86-7 school district is authorized to issue bonds under that section [~~to~~
 86-8 ~~finance an instructional facility~~]; or
 86-9 (D) [~~(4)~~] for any other purpose related to the
 86-10 purchase, lease, sale, acquisition, or maintenance of an
 86-11 instructional facility.
 86-12 (f-1) The governing body of an open-enrollment charter
 86-13 school must comply with Chapter 551, Government Code, when
 86-14 considering the issuance of bonds.
 86-15 SECTION 7.03. Section 29.054, Education Code, is amended by
 86-16 adding Subsection (e) to read as follows:
 86-17 (e) Notwithstanding Section 29.066(c), the agency may
 86-18 require, for purposes of implementing Section 48.105, a school
 86-19 district that is granted an exception under this section to:
 86-20 (1) include in the district's Public Education
 86-21 Information Management System (PEIMS) report additional
 86-22 information specified by the agency and relating to the alternative
 86-23 language education methods used by the district; and
 86-24 (2) classify the alternative language education
 86-25 methods used by the district under the Public Education Information
 86-26 Management System (PEIMS) report as specified by the agency.
 86-27 SECTION 7.04. Subchapter 7, Chapter 29, Education Code, is
 86-28 amended by adding Section 29.940 to read as follows:
 86-29 Sec. 29.940. FEDERAL GRANT ADMINISTRATION. For a federal
 86-30 grant program under which the agency oversees and administers
 86-31 services to nonpublic schools, the agency shall follow federal
 86-32 disposition rules and procedures to dispose of equipment or
 86-33 supplies that are unused or no longer needed and were previously
 86-34 allocated to nonpublic schools participating in the grant program.
 86-35 SECTION 7.05. Subchapter A, Chapter 48, Education Code, is
 86-36 amended by adding Section 48.011 to read as follows:
 86-37 Sec. 48.011. COMMISSIONER AUTHORITY TO RESOLVE UNINTENDED
 86-38 CONSEQUENCES. (a) Subject to Subsection (b), the commissioner
 86-39 may, as necessary to implement changes made by the legislature to
 86-40 public school finance, including under this chapter or Chapter 45,
 86-41 46, or 49, and school district ad valorem taxes:
 86-42 (1) adjust a school district's entitlement if the
 86-43 funding formulas used to determine the district's entitlement
 86-44 result in an unanticipated loss, gain, or other result for a school
 86-45 district; and
 86-46 (2) modify dates relating to the adoption of a school
 86-47 district's maintenance and operations tax rate and, if applicable,
 86-48 an election required for the district to adopt that tax rate.
 86-49 (b) Before making an adjustment under Subsection (a), the
 86-50 commissioner shall notify and must receive approval from the
 86-51 Legislative Budget Board and the office of the governor.
 86-52 (c) If the commissioner makes an adjustment under
 86-53 Subsection (a), the commissioner must provide to the legislature an
 86-54 explanation regarding the changes necessary to resolve the
 86-55 unintended consequences.
 86-56 (d) This section expires September 1, 2027.
 86-57 SECTION 7.06. Subchapter A, Chapter 48, Education Code, is
 86-58 amended by adding Section 48.014 to read as follows:
 86-59 Sec. 48.014. NOTICE FOR SCHOOL DISTRICTS REGARDING RECOURSE
 86-60 FOR INVALID PROPERTY VALUES. (a) This section applies only to a
 86-61 school district located in an appraisal district in which the
 86-62 comptroller has certified the preliminary findings of the school
 86-63 district property value study under Section 403.302(g), Government
 86-64 Code, and determined that a school district located in the
 86-65 appraisal district has an invalid local value, regardless of
 86-66 whether the district meets the definition of an eligible school
 86-67 district under Section 403.3011, Government Code.
 86-68 (b) For each school district to which this section applies
 86-69 and as soon as practicable after the comptroller has certified the

87-1 preliminary findings of the school district property value study
 87-2 under Section 403.302(g), Government Code, the commissioner shall
 87-3 provide notice to the board of trustees of the district that
 87-4 includes information regarding the impact or possible impact of a
 87-5 final certification of an invalid local value on the district's
 87-6 finances, including:

87-7 (1) an estimate of the effect on the district's
 87-8 finances; and

87-9 (2) any right of recourse available to the district.

87-10 (c) Each school district shall annually report to the agency
 87-11 contact information for the members of the district's board of
 87-12 trustees for purposes of receiving the notice under this section.

87-13 (d) The commissioner shall coordinate with the comptroller
 87-14 to provide copies of the notice under this section to the board of
 87-15 directors of each applicable appraisal district.

87-16 SECTION 7.07. Section 48.051(a), Education Code, is amended
 87-17 to read as follows:

87-18 (a) For each student in average daily attendance, not
 87-19 including the time students spend each day in career and technology
 87-20 education programs or in special education programs in a setting
 87-21 [an instructional arrangement] other than a general education
 87-22 setting [mainstream or career and technology education programs],
 87-23 for which an additional allotment is made under Subchapter C, a
 87-24 school district is entitled to an allotment equal to the lesser of
 87-25 the amounts that result from the following formulas:

87-26 (1) $A = \$6,160 + \text{GYIA}$; or ~~[the amount that results from~~
 87-27 ~~the following formula.]~~

87-28 (2) $A = (\$6,160 + \text{GYIA}) \times \text{TR/MCR}$

87-29 where:

87-30 "A" is the allotment to which a district is entitled;

87-31 "GYIA" is the guaranteed yield increment adjustment
 87-32 determined under Section 48.2561;

87-33 "TR" is the district's tier one maintenance and operations
 87-34 tax rate, as provided by Section 45.0032; and

87-35 "MCR" is the district's maximum compressed tax rate, as
 87-36 determined under Section 48.2551.

87-37 SECTION 7.08. Section 48.101, Education Code, is amended to
 87-38 read as follows:

87-39 Sec. 48.101. SMALL AND MID-SIZED DISTRICT ALLOTMENT. (a)
 87-40 Small and mid-sized districts are entitled to an annual allotment
 87-41 in accordance with this section. In this section:

87-42 (1) "AA" is the district's annual allotment per
 87-43 student in average daily attendance;

87-44 (2) "ADA" is the number of students in average daily
 87-45 attendance for which the district is entitled to an allotment under
 87-46 Section 48.051, other than students in average daily attendance who
 87-47 do not reside in the district and are enrolled in a full-time
 87-48 virtual program; and

87-49 (3) "BA" is the basic allotment determined under
 87-50 Section 48.051.

87-51 (b) A school district that has fewer than 1,600 students in
 87-52 average daily attendance is entitled to an annual allotment for
 87-53 each student in average daily attendance based on the following
 87-54 formula:

87-55
$$AA = ((1,600 - ADA) \times \underline{.00046} [\underline{.0004}]) \times BA$$

87-56 (c) A school district that offers a kindergarten through
 87-57 grade 12 program and has less than 5,000 students in average daily
 87-58 attendance is entitled to an annual allotment for each student in
 87-59 average daily attendance based on the formula, of the following
 87-60 formulas, that results in the greatest annual allotment:

87-61 (1) the formula in Subsection (b), if the district is
 87-62 eligible for that formula; or

87-63 (2) $AA = ((5,000 - ADA) \times \underline{.00003} [\underline{.000025}]) \times BA$.

87-64 (d) Instead of the allotment under Subsection (b) or (c)(1),
 87-65 a school district that has fewer than 300 students in average daily
 87-66 attendance and is the only school district located in and operating
 87-67 in a county is entitled to an annual allotment for each student in
 87-68 average daily attendance based on the following formula:

87-

88-1 AA = ((1,600 - ADA) X .0005 [~~-.00047~~]) X BA
 88-2 SECTION 7.09. Section 48.105, Education Code, is amended by
 88-3 adding Subsections (a-1) and (a-2) and amending Subsection (b) to
 88-4 read as follows:

88-5 (a-1) The agency shall review school districts that offer
 88-6 alternative language education methods approved by the agency under
 88-7 Section 29.054(d) and approve districts to receive the allotment
 88-8 under Subsection (a-2) for that biennium in a manner that provides
 88-9 not more than \$10 million total under the allotment to school
 88-10 districts in each biennium. In approving school districts to
 88-11 receive the allotment under this subsection, the agency shall, to
 88-12 the extent possible, approve eligible school districts from a
 88-13 cross-section of this state.

88-14 (a-2) For each student in average daily attendance in an
 88-15 alternative language education method approved by the agency under
 88-16 Section 29.054(d), and offered by a school district approved to
 88-17 receive the allotment under Subsection (a-1), the district is
 88-18 entitled to an annual allotment equal to the basic allotment
 88-19 multiplied by:

88-20 (1) 0.15 for an emergent bilingual student, as defined
 88-21 by Section 29.052, if the student is in an alternative language
 88-22 education method using a dual language immersion/one-way or two-way
 88-23 program model; and

88-24 (2) 0.05 for a student not described by Subdivision
 88-25 (1), if the student is in an alternative language education method
 88-26 using a dual language immersion/one-way or two-way program model.

88-27 (b) At least 55 percent of the funds allocated under this
 88-28 section must be used in providing bilingual education or special
 88-29 language programs under Subchapter B, Chapter 29. A district's
 88-30 bilingual education or special language allocation may be used only
 88-31 for program and student evaluation, instructional materials and
 88-32 equipment, staff development, supplemental staff expenses, teacher
 88-33 salaries [salary supplements for teachers], incremental costs
 88-34 associated with providing smaller class sizes, and other supplies
 88-35 required for quality instruction.

88-36 SECTION 7.10. Section 48.115(a), Education Code, is amended
 88-37 to read as follows:

88-38 (a) Except as provided by Subsection (a-1), a school
 88-39 district is entitled to an annual allotment equal to the sum of the
 88-40 following amounts or a greater amount provided by appropriation:

88-41 (1) \$20 [~~\$10~~] for each student in average daily
 88-42 attendance, plus \$1 for each student in average daily attendance
 88-43 per every \$50 by which the district's maximum basic allotment under
 88-44 Section 48.051 exceeds \$6,160, prorated as necessary; and

88-45 (2) \$34,000 [~~\$15,000~~] per campus.

88-46 SECTION 7.11. Section 48.202, Education Code, is amended by
 88-47 amending Subsection (a-1) and adding Subsection (e-2) to read as
 88-48 follows:

88-49 (a-1) For purposes of Subsection (a), the dollar amount
 88-50 guaranteed level of state and local funds per weighted student per
 88-51 cent of tax effort ("GL") for a school district is:

88-52 (1) [the greater of the amount of district tax revenue
 88-53 per weighted student per cent of tax effort available to a school
 88-54 district at the 96th percentile of wealth per weighted student or]
 88-55 the amount that results from multiplying the maximum amount of the
 88-56 basic allotment provided under Section 48.051 for the applicable
 88-57 school year [6,160, or the greater amount provided under Section
 88-58 48.051(b), if applicable,] by 0.02084 [0.016], for the first eight
 88-59 cents by which the district's maintenance and operations tax rate
 88-60 exceeds the district's tier one tax rate; and

88-61 (2) [subject to Subsection (f),] the amount that
 88-62 results from multiplying the maximum amount of the basic allotment
 88-63 provided under Section 48.051 for the applicable school year
 88-64 [\$6,160, or the greater amount provided under Section 48.051(b), if
 88-65 applicable,] by 0.008, for the district's maintenance and
 88-66 operations tax effort that exceeds the amount of tax effort
 88-67 described by Subdivision (1).

88-68 (e-2) For purposes of this section, the total amount of
 88-69 maintenance and operations taxes collected by a school district not

89-1 required to reduce its local revenue level under Section 48.257
 89-2 includes the amount of tax revenue received from a county-wide
 89-3 equalization tax.

89-4 SECTION 7.12. Subchapter F, Chapter 48, Education Code, is
 89-5 amended by adding Section 48.2561 to read as follows:

89-6 Sec. 48.2561. GUARANTEED YIELD INCREMENT ADJUSTMENT. (a)
 89-7 Not later than October 1 of each even-numbered year, for the
 89-8 subsequent state fiscal biennium, the agency shall determine the
 89-9 amount of the guaranteed yield increment adjustment for each state
 89-10 fiscal year of the biennium. The amount of the guaranteed yield
 89-11 increment adjustment is the difference between:

89-12 (1) the estimated cost to the state of maintaining the
 89-13 guaranteed level of state and local funds per weighted student per
 89-14 cent of tax effort under Section 48.202(a-1)(1) at the 96th
 89-15 percentile of wealth per weighted student for each year of the
 89-16 biennium; and

89-17 (2) the state cost of maintaining the guaranteed level
 89-18 of state and local funds per weighted student per cent of tax effort
 89-19 at the amount provided by Section 48.202(a-1)(1).

89-20 (b) Notwithstanding Subsection (a), the amount of the
 89-21 guaranteed yield increment adjustment for each state fiscal year of
 89-22 the state fiscal biennium beginning September 1, 2025, is \$55. This
 89-23 subsection expires September 1, 2027.

89-24 SECTION 7.13. Section 48.266, Education Code, is amended by
 89-25 amending Subsection (b) and adding Subsection (b-1) to read as
 89-26 follows:

89-27 (b) Except as provided by this subsection and subject to
 89-28 Subsection (b-1), the commissioner shall base the determinations
 89-29 under Subsection (a) on the estimates provided to the legislature
 89-30 under Section 48.269, or, if the General Appropriations Act
 89-31 provides estimates for that purpose, on the estimates provided
 89-32 under that Act, for each school district for each school year. The
 89-33 commissioner shall reduce the entitlement of each district that has
 89-34 a final taxable value of property for the second year of a state
 89-35 fiscal biennium that is higher than the estimate under Section
 89-36 48.269 or the General Appropriations Act, as applicable. A
 89-37 reduction under this subsection may not reduce the district's
 89-38 entitlement below the amount to which it is entitled at its actual
 89-39 taxable value of property.

89-40 (b-1) Periodically throughout the school year, the
 89-41 commissioner shall adjust the determinations made under Subsection
 89-42 (a) to reflect current school year estimates of a district's
 89-43 enrollment and average daily attendance, based on attendance
 89-44 reporting for each six-week interval.

89-45 SECTION 7.14. Section 48.283, Education Code, is amended to
 89-46 read as follows:

89-47 Sec. 48.283. ADDITIONAL STATE AID FOR CERTAIN DISTRICTS
 89-48 IMPACTED BY COMPRESSION. A school district that received an
 89-49 adjustment under Section 48.257(b) as that subsection existed on
 89-50 September 1, 2024, for the 2022-2023 school year is entitled to
 89-51 additional state aid [~~for each school year~~] in an amount equal to
 89-52 [~~the amount of that adjustment for the 2022-2023 school year less~~]
 89-53 the difference, if the difference is greater than zero, between:

89-54 (1) [~~the amount to which the district is entitled~~
 89-55 ~~under this chapter for the current school year; and~~

89-56 [~~(2)~~] the amount of state and local revenue that would
 89-57 have been available to [which] the district [would be entitled]
 89-58 under this chapter and Chapter 49 for the current school year if the
 89-59 district's maximum compressed tax rate had not been reduced under
 89-60 Section 48.2555, as added by S.B. 2, Acts of the 88th Legislature,
 89-61 2nd Called Session, 2023; and

89-62 (2) the amount of state and local revenue available to
 89-63 the district under this chapter and Chapter 49 for the current
 89-64 school year.

89-65 SECTION 7.15. Subchapter F, Chapter 48, Education Code, is
 89-66 amended by adding Section 48.284 to read as follows:

89-67 Sec. 48.284. ADDITIONAL STATE AID FOR REGIONAL INSURANCE
 89-68 COST DIFFERENTIALS. (a) In this section, "catastrophe area" and
 89-69 "first tier coastal county" have the meanings assigned by Section

90-1 2210.003, Insurance Code.

90-2 (b) This section applies to a school district or
90-3 open-enrollment charter school that has the following property
90-4 located in a first tier coastal county or an area designated in 2024
90-5 as a catastrophe area:

90-6 (1) the central administrative office of the district
90-7 or school; and

90-8 (2) a majority of campuses of the district or school.

90-9 (c) A school district or open-enrollment charter school to
90-10 which this section applies is entitled to additional state aid for
90-11 each student in adjusted average daily attendance in an amount
90-12 equal to one-third of the difference between, for the 2023-2024
90-13 school year, or a different school year specified by appropriation:

90-14 (1) the total amount paid for property and casualty
90-15 insurance by districts and schools in the county or catastrophe
90-16 area described by Subsection (b) in which the district's or school's
90-17 property is located divided by the total number of students in
90-18 average daily attendance for all districts and schools in the
90-19 county or catastrophe area; and

90-20 (2) the total amount paid for property and casualty
90-21 insurance by districts and schools in the state divided by the total
90-22 number of students in average daily attendance in the state.

90-23 (d) For purposes of Subsection (c), the average daily
90-24 attendance of a school district that qualifies for, or an
90-25 open-enrollment charter school that if the school were a school
90-26 district would qualify for, an allotment under Section 48.101 is
90-27 the district's or school's average daily attendance multiplied by
90-28 the sum of one and:

90-29 (1) for a school district, the district's annual
90-30 allotment per student in average daily attendance under that
90-31 section divided by the basic allotment; or

90-32 (2) for an open-enrollment charter school, the
90-33 school's allotment determined per student in average daily
90-34 attendance under Section 12.106(a-2) divided by the basic
90-35 allotment.

90-36 SECTION 7.16. Section 26.08(n), Tax Code, is amended to
90-37 read as follows:

90-38 (n) For purposes of this section, the voter-approval tax
90-39 rate of a school district is the sum of the following:

90-40 (1) the rate per \$100 of taxable value that is equal to
90-41 the district's maximum compressed tax rate, as determined under
90-42 Section 48.2551, Education Code, for the current year;

90-43 (2) the greater of:

90-44 (A) the district's enrichment tax rate for the
90-45 preceding tax year [~~less any amount by which the district is~~
90-46 ~~required to reduce the district's enrichment tax rate under Section~~
90-47 ~~48.202(f), Education Code, in the current tax year]; or~~

90-48 (B) the rate of \$0.05 per \$100 of taxable value;
90-49 and

90-50 (3) the district's current debt rate.

90-51 SECTION 7.17. The following provisions of the Education
90-52 Code are repealed:

90-53 (1) Sections 48.104(j-1), (k), (l), (m), (n), and (o);

90-54 and

90-55 (2) Section 48.202(f).

90-56 SECTION 7.18. To the extent of any conflict between the
90-57 changes made to the Education Code by this article and the changes
90-58 made to the Education Code by another Act of the 89th Legislature,
90-59 Regular Session, 2025, the changes made by this article prevail.

90-60 SECTION 7.19. This article takes effect September 1, 2025.

90-61 * * * * *