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Branch

H.B. No. 2238

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the establishment of the Texas Education Data System
3 (TEDS) and certain public school reporting requirements.

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

5 SECTION 1. Title 1, Education Code, is amended by adding
6 Chapter 2 to read as follows:

7 CHAPTER 2. TEXAS EDUCATION DATA SYSTEM (TEDS)

8 SUBCHAPTER A. GENERAL PROVISIONS

9 Sec. 2.001. DEFINITIONS. In this chapter:

10 (1) "Board" means the system board established under
11 Section 2.051.

12 (2) "Charter school" means any school or program that
13 is operating under a charter authorized by Chapter 12 or other law,
14 including:

15 (A) a home-rule school district under Subchapter
16 B, Chapter 12;

17 (B) a campus or campus program under Subchapter
18 C, Chapter 12;

19 (C) an open-enrollment charter school under
20 Subchapter D, Chapter 12; and

21 (D) a college or university charter school under
22 Subchapter E, Chapter 12.

23 (3) "Education agency" means:

24 (A) the Texas Education Agency, the State Board

1 for Educator Certification, or the Texas Higher Education
2 Coordinating Board; or

3 (B) a regional education service center, as
4 defined by Section 5.001, or any other public local, regional, or
5 state education organization identified by the board for
6 participation in the system.

7 (4) "Educational institution" means:

8 (A) a school district or campus;

9 (B) a charter school;

10 (C) an institution of higher education;

11 (D) a university system; or

12 (E) a virtual educational system accredited by an
13 education agency.

14 (5) "Educator" means a person who:

15 (A) is required to hold a certificate issued
16 under Subchapter B, Chapter 21; or

17 (B) is an instructor or administrator at an
18 institution of higher education or university system.

19 (6) "Institution of higher education" has the meaning
20 assigned by Section 61.003.

21 (7) "System" means the Texas Education Data System
22 (TEDS) established under this chapter.

23 (8) "University system" has the meaning assigned by
24 Section 61.003.

25 Sec. 2.002. PURPOSE. The purpose of the system is to:

26 (1) enable educational institutions and education
27 agencies to provide detailed information for the evaluation and

1 improvement of educational programs;

2 (2) facilitate academic, fiscal, and managerial
3 accountability at educational institutions and education agencies;

4 (3) enable educational institutions and education
5 agencies to provide information to the public in a manner
6 consistent with state and federal law, including the Family
7 Educational Rights and Privacy Act (20 U.S.C. Section 1232g); and

8 (4) facilitate the collection of information used in
9 the administration of educational institutions.

10 Sec. 2.003. PARTICIPATION REQUIRED. Each educational
11 institution and education agency shall:

12 (1) participate in the system; and

13 (2) use information systems, including connection
14 capabilities, data elements, and accounting, personnel, and
15 student information systems, that are certified by the Department
16 of Information Resources as meeting the system's requirements.

17 Sec. 2.0031. IMPLEMENTATION. (a) Not later than September
18 1, 2011:

19 (1) the commissioner of education and commissioner of
20 higher education shall fully implement the system for participation
21 by educational institutions and education agencies; and

22 (2) each educational institution and education agency
23 shall begin participating in the system as required by Section
24 2.003.

25 (b) The commissioner of education and commissioner of
26 higher education may implement the system on a pilot basis in one or
27 more educational institutions before fully implementing the system

1 as required by this section.

2 (c) This section expires December 1, 2011.

3 Sec. 2.004. REFERENCE TO PUBLIC EDUCATION INFORMATION
4 MANAGEMENT SYSTEM (PEIMS). On or after September 1, 2011, a
5 reference in law to the Public Education Information Management
6 System (PEIMS) means the Texas Education Data System (TEDS).

7 [Sections 2.005-2.050 reserved for expansion]

8 SUBCHAPTER B. SYSTEM BOARD

9 Sec. 2.051. ESTABLISHMENT OF BOARD. The commissioner of
10 education and the commissioner of higher education shall establish
11 a board to design, develop, oversee, and monitor the implementation
12 of the system and perform other functions authorized under this
13 chapter.

14 Sec. 2.052. MEMBERSHIP OF BOARD. (a) The board is composed
15 of 15 members, including the commissioner of education and the
16 commissioner of higher education. The commissioner of education
17 and the commissioner of higher education shall co-chair the board.

18 (b) The commissioner of education shall appoint seven
19 members of the board. Three of the members appointed by the
20 commissioner of education must have extensive experience in the
21 field of public education data systems or as researchers. Two of
22 the members appointed by the commissioner of education must have
23 extensive experience in the field of public education curriculum
24 and assessment. Two of the members appointed by the commissioner of
25 education must be selected from a list of candidates prepared by the
26 lieutenant governor for appointment to the board.

27 (c) The commissioner of higher education shall appoint six

1 members of the board. Four of the members appointed by the
2 commissioner of higher education must have extensive experience in
3 the field of higher education data systems or as researchers. Two
4 of the members appointed by the commissioner of higher education
5 must be selected from a list of candidates prepared by the speaker
6 of the house of representatives for appointment to the board.

7 Sec. 2.053. TERMS. Members of the board, other than the
8 commissioner of education and commissioner of higher education,
9 serve four-year terms expiring February 1, 2011, and February 1 of
10 every fourth year thereafter, and are eligible for reappointment.

11 Sec. 2.054. REIMBURSEMENT FOR EXPENSES. A member of the
12 board is not entitled to compensation for the member's service on
13 the board, but is entitled to reimbursement for actual and
14 reasonable expenses incurred while on board business as provided by
15 the General Appropriations Act.

16 [Sections 2.055-2.100 reserved for expansion]

17 SUBCHAPTER C. SYSTEM COMPONENTS

18 Sec. 2.101. ESTABLISHMENT OF SYSTEM. (a) The commissioner
19 of education and commissioner of higher education, with the
20 assistance of the board, shall establish, implement, and administer
21 the system in the manner provided by this chapter.

22 (b) The system must be an efficient, cost-effective
23 electronic system for storage of public and higher education data
24 that consolidates systems and data previously managed separately by
25 the Texas Education Agency, the Texas Higher Education Coordinating
26 Board, and the State Board for Educator Certification.

27 (c) In implementing the system, the commissioner of

1 education and commissioner of higher education shall:

2 (1) develop policy objectives concerning the system;

3 (2) design strategies for the implementation of the
4 system; and

5 (3) create evaluation criteria for the system so that
6 the system is capable of providing detailed student achievement,
7 curricular, instructional, managerial, and educational policy data
8 functions.

9 (d) The board shall ensure that the system is designed in a
10 manner that:

11 (1) limits the extent to which education agencies and
12 educational institutions are required to collect data separately
13 from the collection of data for the system; and

14 (2) allows for longitudinal analysis and program
15 evaluations through the system.

16 Sec. 2.102. SYSTEM TECHNOLOGIES. In developing the system,
17 the board shall ensure that the system includes:

18 (1) technologies that connect data elements among
19 educational institutions and education agencies;

20 (2) direct connection technologies that allow
21 educational institutions and education agencies to use a variety of
22 local information systems to maintain data, connect with the
23 system, and facilitate timely exchange of information;

24 (3) technologies that enable the system to be
25 connected with other relevant state or federal data systems; and

26 (4) analytical tools designed to assist educators,
27 policy makers, and researchers in the evaluation of student

1 achievement, educational programs, and operational efficiencies.

2 Sec. 2.103. SYSTEM DATA ELEMENTS. (a) The board shall
3 identify the data elements required for inclusion in the system.

4 The data elements must include:

5 (1) data for each educational institution concerning
6 organization, personnel, budgetary and actual fiscal measures, and
7 student and community demographics;

8 (2) to the extent applicable, a record of the academic
9 training, certifications, experience, and completion of continuing
10 education and professional development for each educator employed
11 by an educational institution;

12 (3) a unique personal identification number for each
13 student enrolled in and educator employed by an educational
14 institution for the purpose of facilitating the connection of
15 relevant data elements;

16 (4) data concerning student academic performance,
17 including performance on state assessment instruments;

18 (5) a transcript for each student enrolled in an
19 educational institution that includes the following information:

20 (A) for a student enrolled in an institution of
21 higher education:

22 (i) courses taken by the student and course
23 completion and academic performance information concerning the
24 student;

25 (ii) instructors of record for the student;

26 (iii) each degree awarded to the student;

27 and

1 (iv) the student's performance on college
2 preparation assessments and, to the extent applicable,
3 end-of-degree or end-of-certificate assessments; and

4 (B) for a student enrolled in a school district
5 or charter school:

6 (i) courses taken by the student and grade
7 or course completion information, as applicable, concerning the
8 student;

9 (ii) teachers of record for the student;

10 (iii) the student's performance on
11 assessment instruments administered under Section 39.023 and
12 college preparation assessments;

13 (iv) information concerning whether the
14 student received special education services under Subchapter A,
15 Chapter 29, including information concerning any individualized
16 education program developed for the student under Section 29.005;

17 (v) information concerning any personal
18 graduation plan developed for the student under Section 28.0212;

19 (vi) the student's attendance records;

20 (vii) the specific reason for leaving a
21 school district or charter school, such as transferring,
22 graduating, or dropping out of school; and

23 (viii) demographic data for the student;

24 and

25 (6) data concerning any incidents of alleged
26 discrimination or harassment of school district employees or
27 students enrolled in the district on the basis of the actual or

1 perceived ethnicity, color, gender, gender identity or expression,
2 sexual orientation, disability, religion, or national origin that
3 occurred in the district during the preceding year.

4 (b) In specifying the data elements that must be included in
5 the system, the board shall consider the cost to educational
6 institutions of collecting and reporting the required information.

7 (c) The board shall coordinate with the Texas State Data
8 Center to include relevant data elements concerning community
9 demographic characteristics in the system.

10 (d) The board shall ensure that the system includes flexible
11 data fields so that the system can be used in the evaluation of
12 programs at educational institutions.

13 (e) Any personally identifiable information collected under
14 this section shall not be public information subject to disclosure
15 under Chapter 552, Government Code.

16 Sec. 2.104. ANALYTICAL TOOLS. (a) The board shall
17 incorporate into the system analytical tools for improving the
18 quality of data collection, management, analyses, and
19 dissemination.

20 (b) The analytical tools, where applicable, must be
21 designed to provide information that can be used directly and
22 efficiently by educators so as to limit the need for locally
23 designed data management systems.

24 (c) The analytical tools incorporated into the system under
25 this section must include:

26 (1) measures of improvement in student achievement as
27 provided by Section 2.105;

1 (2) comparative academic and fiscal measures of
2 success as provided by Section 2.106; and

3 (3) dropout prevention and intervention tools as
4 provided by Section 2.107.

5 Sec. 2.105. MEASURES OF IMPROVEMENT IN STUDENT ACHIEVEMENT.

6 (a) The board shall contract with one or more organizations with
7 well-established peer-review processes to:

8 (1) develop recommendations, drawing from
9 independently peer-reviewed research which is based upon empirical
10 evidence and adheres to the basic principles of sound statistical
11 analysis, for using the system to measure improvement in individual
12 student achievement on assessment instruments administered under
13 Section 39.023; and

14 (2) study the feasibility, reliability, and validity
15 of using the measure of improvement in individual student
16 achievement on assessment instruments in conducting evaluations
17 and appraisals of educators employed by school districts and
18 institutions of higher education or university systems. Results
19 from the study must be based upon empirical evidence and published
20 in scientific journals using independent peer review, and validity
21 for this purpose must be established before a student growth
22 measure may be a required component of educator evaluation or
23 appraisal. Any assessment instruments used as a basis for educator
24 evaluations must be certified by the entity that develops the
25 instrument as being validated and reliable for that purpose and
26 independently verified by an impartial psychometrician as being
27 valid for that purpose.

1 (b) The board shall select a methodology and incorporate
2 into the system a capability for generating reports for school
3 districts and charter schools concerning annual improvement in
4 student achievement at the student, classroom, campus, and district
5 level. The methodology selected by the board must include advanced
6 statistical methods that can fairly and accurately adjust for
7 factors beyond the control of an educational institution or
8 educator, including student demographics and community
9 characteristics.

10 Sec. 2.106. COMPARATIVE ACADEMIC AND FISCAL MEASURES OF
11 SUCCESS. (a) The board shall select a methodology and incorporate
12 into the system a capability for generating reports that compare
13 the spending and performance of educational institutions over time
14 and as compared with other educational institutions.

15 (b) The methodology selected by the board must include
16 advanced statistical methods that can adjust for factors beyond the
17 control of an educational institution, including student
18 demographics and community characteristics.

19 Sec. 2.107. DROPOUT PREVENTION AND INTERVENTION. (a) The
20 board shall contract with one or more centers for education
21 research, as established under Section 1.005, to develop
22 recommendations for establishing indicators for identifying
23 students who are likely to drop out of school.

24 (b) The board shall select a methodology and incorporate
25 into the system a reporting method that aids in the early detection
26 and intervention of students who are likely to drop out of school.

27 Sec. 2.108. INFORMATION CONCERNING INSTRUCTIONAL METHODS

1 PROHIBITED. The system may not contain any information concerning
2 instructional methods, except as required by federal law.

3 [Sections 2.109-2.150 reserved for expansion]

4 SUBCHAPTER D. ADMINISTRATION AND MANAGEMENT OF SYSTEM

5 Sec. 2.151. RULES. (a) The commissioner of education and
6 the Texas Higher Education Coordinating Board may jointly adopt
7 rules necessary to support the implementation of criteria,
8 strategies, and policies adopted by the system board.

9 (b) The commissioner of education and the Texas Higher
10 Education Coordinating Board shall, where applicable, coordinate
11 with the State Board for Educator Certification in adopting the
12 rules.

13 (c) The board shall carry out its duties in accordance with
14 Chapter 551, Government Code.

15 Sec. 2.152. COST-EFFECTIVE MANAGEMENT OF SYSTEM. (a) The
16 board shall identify the most cost-effective approach to
17 establishing and maintaining the system, including in establishing
18 and selecting:

19 (1) interfaces to the data system for educators,
20 educational institutions, education agencies, other state
21 agencies, centers for education research established under Section
22 1.005, and the public; and

23 (2) analytical tools that improve the quality of data
24 submissions, educational programs, and operational efficiencies at
25 educational institutions and education agencies.

26 (b) To achieve the objectives described by this section, the
27 board:

1 (1) shall consider using the TexasOnline project as
2 provided by Section 2054.252, Government Code;

3 (2) may issue requests for proposals and award
4 contracts on a competitive basis; and

5 (3) may include incentives in board contracts to
6 facilitate the receipt of timely delivery of services.

7 (c) The board may enter into a contract with one or more
8 persons with relevant expertise to:

9 (1) advise the board in issuing requests for proposals
10 under Subsection (b)(2);

11 (2) score responses to proposals received by the
12 board; and

13 (3) make recommendations to the board concerning the
14 proposals.

15 Sec. 2.153. ADVISORY GROUPS. The board shall establish
16 stakeholder advisory groups for the purpose of providing the board
17 with additional information and expertise concerning the
18 structures and functions of the system, including the system's data
19 elements and interface design.

20 Sec. 2.154. ASSISTANCE OF DEPARTMENT OF INFORMATION
21 RESOURCES. The Department of Information Resources shall assist
22 the commissioner of education, the commissioner of higher
23 education, and the board in the design, coordination,
24 implementation, and management of projects related to the system.

25 Sec. 2.155. PROCESS FOR RELEASING INFORMATION. The
26 commissioner of education and commissioner of higher education
27 shall develop and implement a process for releasing information for

1 research purposes in a manner consistent with state and federal
2 law, including the Family Educational Rights and Privacy Act (20
3 U.S.C. Section 1232g).

4 Sec. 2.156. GRANTS; FEDERAL FUNDS. For the purpose of
5 developing, maintaining, and enhancing the system, the
6 commissioner of education and the commissioner of higher education:

7 (1) may solicit and receive grants; and

8 (2) where applicable, shall apply for and use relevant
9 federal funds.

10 [Sections 2.157-2.200 reserved for expansion]

11 SUBCHAPTER E. REVIEWS AND REPORTS CONCERNING SYSTEM

12 Sec. 2.201. PUBLICATION OF ANNUAL REPORT. Annually the
13 board shall publish a report concerning the system. The report must
14 include:

15 (1) information concerning the system's data
16 standards;

17 (2) descriptions of data elements and codes;

18 (3) detailed information concerning responsibilities
19 of educational institutions and education agencies relating to data
20 submission; and

21 (4) descriptions of data submission requirements,
22 including specifications for layout and editing.

23 Sec. 2.202. REVIEW; RECOMMENDATIONS TO LEGISLATURE. (a)
24 The board shall review rules, criteria, strategies, and policies
25 relating to the system and make recommendations to the commissioner
26 of education and the commissioner of higher education concerning
27 the repeal or amendment of rules or reporting requirements that are

1 unnecessary.

2 (b) Not later than December 1 of each even-numbered year,
3 the board shall provide each member of the legislature with a report
4 concerning recommendations for improving the efficiency and
5 effectiveness of the system.

6 (c) Not later than September 1, 2012, the board shall
7 complete the first review required by Subsection (a). Not later
8 than December 1, 2012, the board shall provide the first report to
9 each member of the legislature as required by Subsection (b). This
10 subsection expires January 1, 2013.

11 SECTION 2. Subchapter B, Chapter 29, Education Code, is
12 amended by adding Section 29.066 to read as follows:

13 Sec. 29.066. PEIMS REPORTING REQUIREMENTS. (a) A school
14 district that is required to offer bilingual education or special
15 language programs shall include the following information in the
16 district's Public Education Information Management System (PEIMS)
17 report:

18 (1) demographic information, as determined by the
19 commissioner, on students enrolled in district bilingual education
20 or special language programs;

21 (2) the number and percentage of students enrolled in
22 each instructional model of a bilingual education or special
23 language program offered by the district; and

24 (3) the number and percentage of students identified
25 as students of limited English proficiency who do not receive
26 specialized instruction.

27 (b) For purposes of this section, the commissioner shall

1 adopt rules to classify programs under this section as follows:

2 (1) if the program is a bilingual education program,
3 the program must be classified under the Public Education
4 Information Management System (PEIMS) report as:

5 (A) transitional bilingual/early exit: a
6 bilingual program that serves students identified as students of
7 limited English proficiency in both English and Spanish and
8 transfers a student to English-only instruction not earlier than
9 two or later than five years after the student enrolls in school;

10 (B) transitional bilingual/late exit: a
11 bilingual program that serves students identified as students of
12 limited English proficiency in both English and Spanish and
13 transfers a student to English-only instruction not earlier than
14 six or later than seven years after the student enrolls in school;

15 (C) dual language immersion/two-way: a
16 biliteracy program that integrates students proficient in English
17 and students identified as students of limited English proficiency
18 in both English and Spanish and transfers a student identified as a
19 student of limited English proficiency to English-only instruction
20 not earlier than six or later than seven years after the student
21 enrolls in school; or

22 (D) dual language immersion/one-way: a
23 biliteracy program that serves only students identified as students
24 of limited English proficiency in both English and Spanish and
25 transfers a student to English-only instruction not earlier than
26 six or later than seven years after the student enrolls in school;

27 and

1 (2) if the program is a special language program, the
2 program must be classified under the Public Education Information
3 Management System (PEIMS) report as:

4 (A) English as a second language/content-based:
5 an English program that serves students identified as students of
6 limited English proficiency in English only by providing a
7 full-time teacher certified under Section 29.061(c) to provide
8 supplementary instruction for all content area instruction; or

9 (B) English as a second language/pull-out: an
10 English program that serves students identified as students of
11 limited English proficiency in English only by providing a
12 part-time teacher certified under Section 29.061(c) to provide
13 English language arts instruction exclusively, while the student
14 remains in a mainstream instructional arrangement in the remaining
15 content areas.

16 (c) If the school district has received a waiver and is not
17 required to offer a bilingual education or special language program
18 in a student's native language or if the student's parents have
19 refused to approve the student's entry into a program as provided by
20 Section 29.056, the program must be classified under the Public
21 Education Information Management System (PEIMS) report as: no
22 bilingual education or special language services provided.

23 SECTION 3. Subchapter A, Chapter 37, Education Code, is
24 amended by adding Section 37.023 to read as follows:

25 Sec. 37.023. REPORT RELATING TO CERTAIN OFFENSES COMMITTED
26 BY CERTAIN STUDENTS. (a) In the manner required by the
27 commissioner, each school district shall annually report to the

1 commissioner information relating to an offense that does not
2 involve the use of a weapon:

- 3 (1) committed by a student in kindergarten through
4 grade five, during school hours, and on school property; and
5 (2) for which the student receives a citation.

6 (b) Conduct that must be reported under Subsection (a)
7 includes only conduct that:

- 8 (1) is not harassment as defined by Section 37.001;
9 (2) occurs between two students;
10 (3) is not violent;
11 (4) involves open-handed physical contact; and
12 (5) is not intended to cause harm and is playful.

13 (c) The report required under Subsection (a) must include:

- 14 (1) the offense committed by the student;
15 (2) the age and sex of the student;
16 (3) the grade level of the student; and
17 (4) the campus to which the student is assigned.

18 (d) The commissioner may adopt rules necessary to implement
19 this section.

20 SECTION 4. Section 39.027(e), Education Code, is amended to
21 read as follows:

22 (e) The commissioner shall develop an assessment system
23 that shall be used for evaluating the academic progress, including
24 reading proficiency in English, of all students of limited English
25 proficiency, as defined by Section 29.052. A student who is exempt
26 from the administration of an assessment instrument under
27 Subsection (a)(3) or (4) who achieves reading proficiency in

1 English as determined by the assessment system developed under this
2 subsection shall be administered the assessment instruments
3 described by Sections 39.023(a) and (c). The performance under the
4 assessment system developed under this subsection of students to
5 whom Subsection (a)(3) or (4) applies shall be included in the
6 academic excellence indicator system under Section 39.051, the
7 performance report under Section 39.053, and the comprehensive
8 annual report under Section 39.182. This information shall be
9 provided in a manner that is disaggregated by the bilingual
10 education or special language program, if any, in which the student
11 is enrolled.

12 SECTION 5. Section 39.051, Education Code, is amended by
13 adding Subsection (b-1) to read as follows:

14 (b-1) Performance on the indicators described by
15 Subsections (b)(1), (2), (3), (8), (9), and (14) must be based on
16 longitudinal student data that is disaggregated by the bilingual
17 education or special language program, if any, in which students of
18 limited English proficiency, as defined by Section 29.052, are or
19 former students of limited English proficiency were enrolled. If a
20 student described by this subsection is not or was not enrolled in
21 specialized language instruction, the number and percentage of
22 those students shall be provided.

23 SECTION 6. Section 39.182, Education Code, is amended by
24 amending Subsections (a) and (b) and adding Subsection (b-1) to
25 read as follows:

26 (a) Not later than December 1 of each year, the agency shall
27 prepare and deliver to the governor, the lieutenant governor, the

1 speaker of the house of representatives, each member of the
2 legislature, the Legislative Budget Board, and the clerks of the
3 standing committees of the senate and house of representatives with
4 primary jurisdiction over the public school system a comprehensive
5 report covering the preceding school year and containing:

6 (1) an evaluation of the achievements of the state
7 educational program in relation to the statutory goals for the
8 public education system under Section 4.002;

9 (2) an evaluation of the status of education in the
10 state as reflected by the academic excellence indicators adopted
11 under Section 39.051;

12 (3) a summary compilation of overall student
13 performance on academic skills assessment instruments required by
14 Section 39.023 with the number and percentage of students exempted
15 from the administration of those instruments and the basis of the
16 exemptions, aggregated by grade level, subject area, campus, and
17 district, with appropriate interpretations and analysis, and
18 disaggregated by race, ethnicity, gender, and socioeconomic
19 status;

20 (4) a summary compilation of overall performance of
21 students placed in a disciplinary alternative education program
22 established under Section 37.008 on academic skills assessment
23 instruments required by Section 39.023 with the number of those
24 students exempted from the administration of those instruments and
25 the basis of the exemptions, aggregated by district, grade level,
26 and subject area, with appropriate interpretations and analysis,
27 and disaggregated by race, ethnicity, gender, and socioeconomic

1 status;

2 (5) a summary compilation of overall performance of
3 students at risk of dropping out of school, as defined by Section
4 29.081(d), on academic skills assessment instruments required by
5 Section 39.023 with the number of those students exempted from the
6 administration of those instruments and the basis of the
7 exemptions, aggregated by district, grade level, and subject area,
8 with appropriate interpretations and analysis, and disaggregated
9 by race, ethnicity, gender, and socioeconomic status;

10 (6) an evaluation of the correlation between student
11 grades and student performance on academic skills assessment
12 instruments required by Section 39.023;

13 (7) a statement of the dropout rate of students in
14 grade levels 7 through 12, expressed in the aggregate and by grade
15 level, and a statement of the completion rates of students for grade
16 levels 9 through 12;

17 (8) a statement of:

18 (A) the completion rate of students who enter
19 grade level 9 and graduate not more than four years later;

20 (B) the completion rate of students who enter
21 grade level 9 and graduate, including students who require more
22 than four years to graduate;

23 (C) the completion rate of students who enter
24 grade level 9 and not more than four years later receive a high
25 school equivalency certificate;

26 (D) the completion rate of students who enter
27 grade level 9 and receive a high school equivalency certificate,

1 including students who require more than four years to receive a
2 certificate; and

3 (E) the number and percentage of all students who
4 have not been accounted for under Paragraph (A), (B), (C), or (D);

5 (9) a statement of the projected cross-sectional and
6 longitudinal dropout rates for grade levels 9 through 12 for the
7 next five years, assuming no state action is taken to reduce the
8 dropout rate;

9 (10) a description of a systematic, measurable plan
10 for reducing the projected cross-sectional and longitudinal
11 dropout rates to five percent or less for the 1997-1998 school year;

12 (11) a summary of the information required by Section
13 29.083 regarding grade level retention of students and information
14 concerning:

15 (A) the number and percentage of students
16 retained; and

17 (B) the performance of retained students on
18 assessment instruments required under Section 39.023(a);

19 (12) information, aggregated by district type and
20 disaggregated by race, ethnicity, gender, and socioeconomic
21 status, on:

22 (A) the number of students placed in a
23 disciplinary alternative education program established under
24 Section 37.008;

25 (B) the average length of a student's placement
26 in a disciplinary alternative education program established under
27 Section 37.008;

1 (C) the academic performance of students on
2 assessment instruments required under Section 39.023(a) during the
3 year preceding and during the year following placement in a
4 disciplinary alternative education program; and

5 (D) the dropout rates of students who have been
6 placed in a disciplinary alternative education program established
7 under Section 37.008;

8 (13) a list of each school district or campus that does
9 not satisfy performance standards, with an explanation of the
10 actions taken by the commissioner to improve student performance in
11 the district or campus and an evaluation of the results of those
12 actions;

13 (14) an evaluation of the status of the curriculum
14 taught in public schools, with recommendations for legislative
15 changes necessary to improve or modify the curriculum required by
16 Section 28.002;

17 (15) a description of all funds received by and each
18 activity and expenditure of the agency;

19 (16) a summary and analysis of the instructional
20 expenditures ratios and instructional employees ratios of school
21 districts computed under Section 44.0071;

22 (17) a summary of the effect of deregulation,
23 including exemptions and waivers granted under Section 7.056 or
24 39.112;

25 (18) a statement of the total number and length of
26 reports that school districts and school district employees must
27 submit to the agency, identifying which reports are required by

1 federal statute or rule, state statute, or agency rule, and a
2 summary of the agency's efforts to reduce overall reporting
3 requirements;

4 (19) a list of each school district that is not in
5 compliance with state special education requirements, including:

6 (A) the period for which the district has not
7 been in compliance;

8 (B) the manner in which the agency considered the
9 district's failure to comply in determining the district's
10 accreditation status; and

11 (C) an explanation of the actions taken by the
12 commissioner to ensure compliance and an evaluation of the results
13 of those actions;

14 (20) a comparison of the performance of
15 open-enrollment charter schools and school districts on the
16 academic excellence indicators specified in Section 39.051(b) and
17 accountability measures adopted under Section 39.051(g), with a
18 separately aggregated comparison of the performance of
19 open-enrollment charter schools predominantly serving students at
20 risk of dropping out of school, as defined by Section 29.081(d),
21 with the performance of school districts;

22 (21) a summary of the information required by Section
23 38.0141 regarding student health and physical activity from each
24 school district;

25 (22) a summary compilation of overall student
26 performance under the assessment system developed to evaluate the
27 longitudinal academic progress as required by Section 39.027(e),

1 disaggregated by bilingual education or special language program
2 instructional model, if any; and

3 (23) [~~22~~] any additional information considered
4 important by the commissioner or the State Board of Education.

5 (b) In reporting the information required by Subsection
6 (a)(3) or (4), the agency may separately aggregate the performance
7 data of students enrolled in a special education program under
8 Subchapter A, Chapter 29[~~, or a bilingual education or special~~
9 ~~language program under Subchapter B, Chapter 29~~].

10 (b-1) In reporting the information required by Subsections
11 (a)(3), (5), and (7), the agency shall separately aggregate the
12 longitudinal performance data of all students identified as
13 students of limited English proficiency, as defined by Section
14 29.052, or former students of limited English proficiency,
15 disaggregated by bilingual education or special language program
16 instructional model, if any, in which the students are or were
17 enrolled.

18 SECTION 7. Section 42.006(c), Education Code, is amended to
19 read as follows:

20 (c) Annually, the commissioner shall review the Public
21 Education Information Management System and shall repeal or amend
22 rules that require school districts to provide information through
23 the Public Education Information Management System that is not
24 necessary. In reviewing and revising the Public Education
25 Information Management System, the commissioner shall develop
26 rules to ensure that the system:

27 (1) provides useful, accurate, and timely information

1 on student demographics and academic performance, personnel, and
2 school district finances;

3 (2) contains only the data necessary for the
4 legislature and the agency to perform their legally authorized
5 functions in overseeing the public education system; and

6 (3) does not contain any information related to
7 instructional methods, except as provided by Section 29.066 or
8 required by federal law.

9 SECTION 8. Section 29.066, Education Code, as added by this
10 Act, and Sections 39.027, 39.051, 39.182, and 42.006, Education
11 Code, as amended by this Act, apply beginning with the 2008-2009
12 school year.

13 SECTION 9. Section 37.023, Education Code, as added by this
14 Act, applies beginning with the 2007-2008 school year.

15 SECTION 10. Effective September 1, 2011, Section 42.006,
16 Education Code, is repealed.

17 SECTION 11. As soon as practicable after the effective date
18 of this Act:

19 (1) the lieutenant governor shall provide the
20 commissioner of education with a list of candidates for appointment
21 to the Texas Education Data System (TEDS) board, as required by
22 Section 2.052, Education Code, as added by this Act;

23 (2) the speaker of the house of representatives shall
24 provide the commissioner of higher education with a list of
25 candidates for appointment to the Texas Education Data System
26 (TEDS) board, as required by Section 2.052, Education Code, as
27 added by this Act; and

1 (3) the commissioner of education and the commissioner
2 of higher education shall appoint members to the Texas Education
3 Data System (TEDS) board.

4 SECTION 12. This Act takes effect September 1, 2007.