

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: Villarreal

H.B. No. 753

A BILL TO BE ENTITLED

AN ACT

relating to certain information to be provided by school districts to parents concerning supplemental educational services and to Texas Education Agency approval and investigation of supplemental educational services providers.

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

SECTION 1. Chapter 26, Education Code, is amended by adding Section 26.0082 to read as follows:

Sec. 26.0082. SUPPLEMENTAL EDUCATIONAL SERVICES. (a) In this section, "rigorous research" means research that includes:

(1) a study design that employs either a randomized controlled trial or a quasi-experimental design;

(2) an adequate measure of outcomes; and

(3) reliable and valid results.

(b) As part of the annual notice a school district provides to parents under 20 U.S.C. Section 6316(e)(2)(A) concerning supplemental educational services, the district shall include information provided to the district by the agency that:

(1) identifies characteristics of supplemental educational services that, based on rigorous research, have been demonstrated to be more likely to foster improvement in student academic performance, including information concerning the minimum number of hours of tutoring necessary for improved performance; and

(2) sorts, for each subject for which supplemental

1 educational services are provided, supplemental educational  
2 services providers serving district students according to the  
3 provider's level of effectiveness in improving student performance  
4 in the applicable subject area.

5 (c) The agency shall develop and the commissioner by rule  
6 shall establish a process for approving and revoking approval for a  
7 supplemental educational services provider. The agency shall  
8 maintain a publicly available list of approved providers. In  
9 accordance with standards established by commissioner rule, the  
10 agency shall promptly investigate a complaint against an approved  
11 provider and promptly remove from the list of approved providers a  
12 provider for which agency approval has been revoked.

13 SECTION 2. This Act takes effect September 1, 2013.

ADOPTED

MAY 17 2013

*Atty. Gen.*  
Secretary of the Senate

By: Zaffrini

H.B. No. 753

Substitute the following for H.B. No. 753:

By: Lucio, Jr.

C.S. H.B. No. 753

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15 (b) As part of the annual notice a school district provides  
16 to parents under 20 U.S.C. Section 6316(e)(2)(A) concerning  
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20 educational services that, based on rigorous research, have been  
21 demonstrated to be more likely to foster improvement in student  
22 academic performance, including information concerning the minimum  
23 number of hours of tutoring necessary for improved performance; and

24 (2) sorts, for each subject for which supplemental

1 educational services are provided, supplemental educational  
2 services providers serving district students according to the  
3 provider's level of effectiveness in improving student performance  
4 in the applicable subject area.

5 (c) The agency shall develop and the commissioner by rule  
6 shall establish a process for approving and revoking approval for a  
7 supplemental educational services provider. The process must allow  
8 the agency to use any publicly available information from any  
9 published source in determining whether to approve an entity as a  
10 provider, except that the agency may not use information that is  
11 self-published or published by a provider for marketing purposes.

12 (d) The agency shall maintain a publicly available list of  
13 approved providers. In accordance with standards established by  
14 commissioner rule, the agency shall promptly investigate a  
15 complaint against an approved provider and promptly remove from the  
16 list of approved providers a provider for which agency approval has  
17 been revoked.

18 (e) Not later than the fifth business day after the date on  
19 which the agency removes a provider from the list of approved  
20 providers, the agency shall send notice of the removal to each  
21 appropriate school district. The district shall provide notice of  
22 the removal to parents of appropriate students.

23 (f) A supplemental educational services provider for which  
24 agency approval has been revoked because the agency determines that  
25 the provider has engaged in fraudulent activity is permanently  
26 prohibited from acting as a provider in this state.

27 SECTION 2. This Act takes effect September 1, 2013.

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**May 18, 2013**

**TO:** Honorable Joe Straus, Speaker of the House, House of Representatives

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB753** by Villarreal (Relating to certain information to be provided by school districts to parents concerning supplemental educational services and to Texas Education Agency approval and investigation of supplemental educational services providers. ), **As Passed 2nd House**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill would require school districts to provide parents with information about supplemental education services (SES) that would foster improvement in a student's academic performance.

The bill would require the Texas Education Agency (TEA) to provide school districts with information about SES that had been demonstrated through rigorous research to be likely to improve a student's academic performance, including the minimum number of tutoring hours required to improve performance. TEA is not aware of any current research that meets the standards proposed in this bill, and would be required to contract for an appropriate study. The information would have to be sorted, for each subject area for which SES was available, by the effectiveness of the providers in improving student performance in that subject area. School districts would be required to provide this information to parents annually.

The bill would require the TEA to develop and the commissioner of education by rule to establish an approval and approval revocation process for SES providers. The TEA would be required to maintain a publicly available list of approved providers. The TEA would also be required, in accordance with commissioner rule, to investigate complaints about providers promptly and remove providers from the approved list if their approval had been revoked. The bill would require TEA to notify school districts within five days of removing providers from the approved list.

Based on the analysis of TEA, the duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 701 Central Education Agency

**LBB Staff:** UP, SD, JBi, JSc

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**May 15, 2013**

**TO:** Honorable Dan Patrick, Chair, Senate Committee on Education

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB753** by Villarreal (Relating to certain information to be provided by school districts to parents concerning supplemental educational services and to Texas Education Agency approval and investigation of supplemental educational services providers.), **Committee Report 2nd House, Substituted**

**No significant fiscal implication to the State is anticipated.**

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**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**May 8, 2013**

**TO:** Honorable Dan Patrick, Chair, Senate Committee on Education

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB753** by Villarreal (Relating to certain information to be provided by school districts to parents concerning supplemental educational services and to Texas Education Agency approval and investigation of supplemental educational services providers.), **As Engrossed**

**No significant fiscal implication to the State is anticipated.**

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No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 701 Central Education Agency

**LBB Staff:** UP, JBi, JSc

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**March 21, 2013**

**TO:** Honorable Jimmie Don Aycock, Chair, House Committee On Public Education

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB753** by Villarreal (Relating to certain information to be provided by school districts to parents concerning supplemental educational services and to Texas Education Agency approval and investigation of supplemental educational services providers.), **Committee Report 1st House, Substituted**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would require the Texas Education Agency (TEA) to provide school districts with information about SES that had been demonstrated through rigorous research to be likely to improve a student's academic performance, including the minimum number of tutoring hours required to improve performance. TEA is not aware of any current research that meets the standards proposed in this bill, and would be required to contract for an appropriate study. The information would have to be sorted, for each subject area for which SES was available, by the effectiveness of the providers in improving student performance in that subject area. School districts would be required to provide this information to parents annually.

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**Source Agencies:**

**LBB Staff:** UP, JBi, JSc

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**March 4, 2013**

**TO:** Honorable Jimmie Don Aycock, Chair, House Committee On Public Education

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB753** by Villarreal (Relating to certain information to be provided by school districts to parents concerning supplemental educational services.), **As Introduced**

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The bill would require the Texas Education Agency (TEA) to provide school districts with information about SES that had been demonstrated through rigorous research to be likely to improve a student's academic performance, including the minimum number of tutoring hours required to improve performance. TEA is not aware of any current research that meets the standards proposed in this bill, and would be required to contract for an appropriate study.

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