

House Bill 742
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Subchapter C, Chapter 7, Education Code, is amended by adding Section 7.064 to read as follows:

Sec. 7.064. ANNUAL REPORT CONCERNING STUDENT HOURS. (a) For each school year, the commissioner shall prepare a report that compiles the information submitted to the commissioner by school districts and open-enrollment charter schools under Sections 11.179 and 12.104(b-1), respectively.

(b) Not later than August 1 of each year, the commissioner shall submit the report prepared under Subsection (a) to the:

- (1) governor;
- (2) lieutenant governor;
- (3) speaker of the house of representatives; and
- (4) presiding officers of the standing committees of the senate and house of representatives having primary jurisdiction over primary and secondary education.

SECTION 2. Subchapter D, Chapter 11, Education Code, is amended by adding Section 11.179 to read as follows:

Sec. 11.179. STUDENT HOURS REPORTING REQUIREMENT. (a) Not later than July 1 of each year, the board of trustees of an independent school district shall prepare and submit to the commissioner a report for the school year that ended during the preceding calendar year that, for each class and for each grade level at each district campus, indicates the average and total number of hours students spent on campus:

- (1) receiving classroom instruction;
- (2) receiving special instruction, disaggregated by the type of instruction; and
- (3) participating in school-sponsored or school-related activities, disaggregated by the type of activity in which the

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No equivalent provision.

No equivalent provision.

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students engaged.

(b) The commissioner may adopt rules as necessary for purposes of this section.

SECTION 3. Section 12.104, Education Code, is amended by adding Subsection (b-1) to read as follows:

(b-1) The governing body of an open-enrollment charter school shall comply with the student hours reporting requirement as provided by Section 11.179 as though:

(1) the open-enrollment charter school were an independent school district; and

(2) an open-enrollment charter school campus were a school district campus.

SECTION 4. Subchapter C, Chapter 29, Education Code, is amended by adding Section 29.091 to read as follows:

Sec. 29.091. GRANT PROGRAM FOR DISTRICTS THAT HAVE HIGH ENROLLMENT OF EDUCATIONALLY DISADVANTAGED STUDENTS AND THAT PROVIDE SUMMER INSTRUCTION. (a) In this section:

(1) "New teacher" means a teacher who:

(A) will be teaching for the first time during the next school year; or

(B) first began teaching:

(i) during the preceding two years; or

(ii) in the school district in which the teacher is currently employed during the preceding year.

(2) "Program" means the grant program for school districts to provide summer instruction primarily for students who are educationally disadvantaged, as established under this section.

No equivalent provision.

SECTION 1. Subchapter C, Chapter 29, Education Code, is amended by adding Section 29.091 to read as follows:

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(A) will be teaching for the first time during the next school year; or

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(i) during the preceding two years; or

(ii) in the school district in which the teacher is currently employed during the preceding year.

(2) "Program" means the grant program for school districts to provide summer instruction primarily for students who are educationally disadvantaged, as established under this section.

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(b) The commissioner shall establish and administer a competitive program to provide grants to not more than 10 school districts to use in providing instructional programs to students in prekindergarten through eighth grade during the period in which school is recessed for the summer. The program shall be designed to:

(1) encourage participation in the program by a district's most educationally disadvantaged students;

(2) close the academic achievement gap between students who are educationally disadvantaged and students who are not educationally disadvantaged;

(3) ensure that during the period in which school is recessed for the summer, students participating in the program retain knowledge and skills learned during the school year and continue learning;

(4) provide apprenticeship, mentorship, and other professional development opportunities for new teachers and student teachers; and

(5) add to the compensation of a district's highest performing teachers by providing those teachers with summer employment teaching students, new teachers, and student teachers.

(c) To be eligible to participate in the program, a school district must:

(1) have an enrollment of students who are educationally disadvantaged that is greater than 50 percent of total district enrollment;

(2) apply to the commissioner in the manner and within the time prescribed by commissioner rule; and

(3) provide as part of the application materials a plan that is designed to achieve the purposes described by Subsections

(b)(1) through (5).

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(b) The commissioner shall establish and administer a competitive program to provide grants to not more than 10 school districts to use in providing instructional programs to students in prekindergarten through eighth grade during the period in which school is recessed for the summer. The program shall be designed to:

(1) encourage participation in the program by a district's most educationally disadvantaged students;

(2) close the academic achievement gap between students who are educationally disadvantaged and students who are not educationally disadvantaged;

(3) ensure that during the period in which school is recessed for the summer, students participating in the program retain knowledge and skills learned during the school year and continue learning;

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(b)(1) through (5).

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(d) In selecting from among eligible school districts to participate in the program, the commissioner shall select those districts that provide plans under Subsection (c)(3) that are the most innovative and represent a variety of approaches so that the effectiveness of various plans can be compared and evaluated.

(e) A grant awarded under this section may be funded only with money appropriated for the program and any gifts, grants, or donations made to the agency that may be used for and that the commissioner applies to funding the program. The commissioner, in accordance with commissioner rule and based on the amount available for the program, shall determine the amount of each grant awarded under this section. A school district awarded a grant under this section may use the grant only for implementing and administering a plan as described by Subsection (c)(3), including providing compensation to teachers in accordance with Subsection (b)(5) and commissioner rule.

(f) Each school district participating in the program shall, in the manner and within the time prescribed by commissioner rule, provide to the agency an annual written report that includes:

(1) a detailed description of the district's plan, as implemented;

(2) the number and grade levels of participating students;

(3) demographic information for participating students, including the percentage of students of each applicable race and ethnicity, the percentage of educationally disadvantaged students, the percentage of students of limited English proficiency as defined by Section 29.052, the percentage of students enrolled in a school district special education program under Subchapter A, and the percentage of students

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(d) In selecting from among eligible school districts to participate in the program, the commissioner shall select those districts that provide plans under Subsection (c)(3) that are the most innovative and represent a variety of approaches so that the effectiveness of various plans can be compared and evaluated.

(e) A grant awarded under this section may be funded only with money appropriated for the program and any gifts, grants, or donations made to the agency that may be used for and that the commissioner applies to funding the program. The commissioner, in accordance with commissioner rule and based on the amount available for the program, shall determine the amount of each grant awarded under this section. A school district awarded a grant under this section may use the grant only for implementing and administering a plan as described by Subsection (c)(3), including providing compensation to teachers in accordance with Subsection (b)(5) and commissioner rule.

(f) Each school district participating in the program shall, in the manner and within the time prescribed by commissioner rule, provide to the agency an annual written report that includes:

(1) a detailed description of the district's plan, as implemented;

(2) the number and grade levels of participating students;

(3) demographic information for participating students, including the percentage of students of each applicable race and ethnicity, the percentage of educationally disadvantaged students, the percentage of students of limited English proficiency as defined by Section 29.052, the percentage of students enrolled in a school district special education program under Subchapter A, and the percentage of students

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enrolled in a district bilingual education program under Subchapter B;

(4) school attendance rates for participating students, before, during, and after program participation, as applicable;

(5) specific information that demonstrates whether the purposes described by Subsections (b)(2) and (3) have been achieved, including the results of assessment instruments administered under Section 39.023 for participating students, before, during, and after program participation, as applicable;

(6) aggregate results of assessment instruments administered under Section 39.023 for students of participating classroom teachers, new teachers, and student teachers, before, during, and after program participation by the students, as applicable;

(7) information regarding the manner in which teachers are selected for participation in the program and the manner in which teachers are compensated for their participation;

(8) statistical information for participating classroom teachers, new teachers, and student teachers, including the number of years employed in the teaching profession, the number of years teaching in the district in which the program is provided, the category and class of educator certification held, the highest level of academic degree earned, race, ethnicity, and gender;

(9) information regarding whether:

(A) the program is provided on a full-day or half-day basis;

(B) the program is voluntary or mandatory for educationally disadvantaged students;

(C) the district has partnered with an outside provider to provide any supplemental service;

(D) the district provides transportation to participating students; and

(E) the district offers the program to students who are not

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enrolled in a district bilingual education program under Subchapter B;

(4) school attendance rates for participating students, before, during, and after program participation, as applicable;

(5) specific information that demonstrates whether the purposes described by Subsections (b)(2) and (3) have been achieved, including the results of assessment instruments administered under Section 39.023 for participating students, before, during, and after program participation, as applicable;

(6) aggregate results of assessment instruments administered under Section 39.023 for students of participating classroom teachers, new teachers, and student teachers, before, during, and after program participation by the students, as applicable;

(7) information regarding the manner in which teachers are selected for participation in the program and the manner in which teachers are compensated for their participation;

(8) statistical information for participating classroom teachers, new teachers, and student teachers, including the number of years employed in the teaching profession, the number of years teaching in the district in which the program is provided, the category and class of educator certification held, the highest level of academic degree earned, race, ethnicity, and gender;

(9) information regarding whether:

(A) the program is provided on a full-day or half-day basis;

(B) the program is voluntary or mandatory for educationally disadvantaged students;

(C) the district has partnered with an outside provider to provide any supplemental service;

(D) the district provides transportation to participating students; and

(E) the district offers the program to students who are not

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educationally disadvantaged and, if so, under what circumstances;

(10) information on retention in the teaching profession of the participating teachers, including new teachers and student teachers; and

(11) any other information required by commissioner rule.

(g) The agency shall contract with an experienced and recognized third-party program evaluator to determine and prepare a report regarding the effectiveness of the program. The evaluator's report must include the evaluator's best effort to project the cost and academic effects of implementing the best practices of the program in school districts throughout this state and must describe the effectiveness of the program in:

(1) improving academic performance among participating students;

(2) improving the professional development and performance of new teachers; and

(3) rewarding and retaining the highest performing teachers.

(h) Using information reported under Section 11.179 and the report under Subsection (g), the agency shall conduct a study that compares the academic performance of students in each school district that participates in the program with the academic performance of students in at least 10 districts that do not participate in the program to determine the type and amount of instruction and student participation in school-sponsored or school-related activities that most contribute to improved academic performance.

(i) Not later than November 1 of each even-numbered year, the agency shall submit to each member of the legislature a

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educationally disadvantaged and, if so, under what circumstances;

(10) information on retention in the teaching profession of the participating teachers, including new teachers and student teachers; and

(11) any other information required by commissioner rule.

(g) The agency shall contract with an experienced and recognized third-party program evaluator to determine and prepare a report regarding the effectiveness of the program. The evaluator's report must include the evaluator's best effort to project the cost and academic effects of implementing the best practices of the program in school districts throughout this state and must describe the effectiveness of the program in:

(1) improving academic performance among participating students;

(2) improving the professional development and performance of new teachers; and

(3) rewarding and retaining the highest performing teachers.

No equivalent provision.

(h) Not later than November 1 of each even-numbered year, the agency shall submit to each member of the legislature a

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report specifically describing the results of the program. The report may be in the form of a summary of the information required under Subsections (f), (g), and (h).

(j) The commissioner shall adopt rules as necessary to administer this section.

SECTION 5. (a) Not later than August 1, 2014, the commissioner of education shall submit a report concerning the 2012-2013 school year, as required by Section 7.064, Education Code, as added by this Act.

(b) Not later than July 1, 2014, the board of trustees of a school district shall submit to the commissioner of education a report concerning the 2012-2013 school year, as required by Section 11.179, Education Code, as added by this Act.

(c) Not later than July 1, 2014, the governing body of an open-enrollment charter school shall submit to the commissioner of education a report concerning the 2012-2013 school year, as required under Section 12.104(b-1), Education Code, as added by this Act.

SECTION 6. The commissioner of education shall establish the grant program under Section 29.091, Education Code, as added by this Act, beginning with the 2013-2014 school year.

SECTION 7. This Act takes effect immediately if it 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 Act takes effect September 1, 2013.

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report specifically describing the results of the program. The report may be in the form of a summary of the information required under Subsections (f) and (g).

(i) The commissioner shall adopt rules as necessary to administer this section.

No equivalent provision.

SECTION 2. Same as House version.

SECTION 3. Same as House version.

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