

## **BILL ANALYSIS**

Senate Research Center  
85R24672 KKA-F

C.S.S.B. 1318  
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Education  
4/26/2017  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Interested parties observe that Texas must improve the mathematical reasoning skills of its students by reengineering mathematics instructional delivery. Some schools have already taken steps towards implementing these alternative instructional delivery models. For example, some K-8 campuses use a blended learning math curriculum software aligned to the Texas Essential Knowledge and Skills (TEKS) that enables students to receive highly-individualized, self-paced lessons. Math class teachers receive real-time information to support struggling students with direct and small group instruction. The incorporation of this alternative instructional delivery model has yielded significant STAAR improvements in participating campuses.

Despite the availability of new and innovative mathematics instructional delivery models, interested parties observe that few schools have adopted these programs due to the associated start-up costs. Interested parties further note that the development of an incentive program would encourage school districts to incorporate alternative mathematics instructional models.

S.B. 1318 authorizes the commissioner of education (commissioner) to designate select school campuses as mathematics innovation zones. Designated campuses would be eligible to receive grant funds from the commissioner for the purpose of implementing innovative mathematics instructional models. These grants would serve as an incentive for program adoption, assisting school districts and charter schools with complicated logistics, including technology deployment, instructional materials adoption, and teacher training. A school district or open-enrollment charter school must apply for the math zone designation in order to receive funding.

S.B. 1318 also authorizes the commissioner to structure and approve "pay for success" programs to finance schools' implementation of math innovation zone requirements. A pay for success program allows private investors to provide financing for program implementation where the payments are dependent on achievement of measurable outcomes. Pay for success financing would allow schools to develop mathematics innovation zones absent state grant availability. (Original Author's / Sponsor's Statement of Intent)

C.S.S.B. 1318 amends current law relating to designation of mathematics innovation zones by the commissioner of education and to the establishment of pay for success programs to provide necessary funding.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the commissioner of education in SECTION 1 (Section 28.020, Education Code) and SECTION 2 (Section 44.904, Education Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter A, Chapter 28, Education Code, by adding Section 28.020, as follows:

Sec. 28.020. MATHEMATICS INNOVATION ZONES. (a) Authorizes the commissioner of education (commissioner) to:

(1) on application of a school district (district) or open-enrollment charter school (school), designate a campus of the district or school as a mathematics innovation zone (zone); and

(2) from funds appropriated or donated for purposes of this section, award a grant to support implementation of innovative mathematics instruction at the campus in accordance with this section.

(a-1) Prohibits the total amount of grants awarded during the state fiscal biennium ending August 31, 2019, from exceeding \$12.5 million. Provides that this subsection expires December 1, 2019.

(b) Requires a campus designated as a zone to:

(1) implement with fidelity an innovative mathematics instructional program approved by the commissioner that addresses the essential knowledge and skills of the mathematics curriculum required by Section 28.002 (Required Curriculum);

(2) comply with objectives, metrics, and other zone requirements imposed by the commissioner through rules adopted under Subsection (g); and

(3) provide all data relating to the zone requested by the Texas Education Agency (TEA).

(c) Provides that a campus designated as a zone is not subject to interventions under the state accountability system described by Section 39.107(a) (relating to requiring the commissioner to order a certain campus to prepare and submit a campus turnaround plan) or (e) (relating to requiring the commissioner to order closure of the campus under certain circumstances) for the first two years of designation, provided that the campus implements the instructional program with fidelity and complies with each zone requirement to the satisfaction of the commissioner. Provides that the period that a campus is exempt from interventions as provided by this subsection is not included in calculating consecutive school years under Section 39.107(a) or (e) or considered a break in consecutive school years of unacceptable ratings for purposes of determining the need for intervention under Section 39.107(a) or (e).

(d) Authorizes the commissioner to revoke designation of a campus as a zone and suspend associated grant funding if the commissioner determines that the campus has failed to implement the instructional program with fidelity or comply with any imposed requirement.

(e) Authorizes a district or school to use a pay for success program approved by the commissioner under Section 44.904 to pay costs associated with designation of a campus as a zone.

(f) Authorizes the commissioner to accept gifts, grants, or donations from any public or private source for purposes of this section.

(g) Authorizes the commissioner to adopt rules as necessary to administer this section.

(h) Provides that a decision or determination by the commissioner under this section is final and may not be appealed.

SECTION 2. Amends Subchapter Z, Chapter 44, Education Code, by adding Section 44.904, as follows:

Sec. 44.904. PAY FOR SUCCESS PROGRAMS. (a) Defines "pay for success program."

(b) Authorizes the commissioner to:

(1) structure and approve pay for success programs for use by a district or school;

(2) evaluate and approve certain participants in a pay for success program; and

(3) require an approved participant to comply with the objectives, metrics, and other pay for success program requirements prescribed by the commissioner.

(c) Authorizes the commissioner, in evaluating a potential participant under Subsection (b)(2), to verify the availability and liquidity of the investment funds of a private investor, evaluate the credentials and effectiveness of an education service provider, and evaluate the credentials and independence of a third-party evaluator.

(d) Provides that a district or school that uses a pay for success program approved by the commissioner, notwithstanding any other law, is not subject to state procurement requirements that would otherwise apply to the activity funded through the program.

(e) Provides that the commissioner, TEA, and TEA employees are immune from liability for actions associated with the structuring, approval, or implementation of a pay for success program.

(f) Authorizes the commissioner to adopt rules as necessary to implement this section.

SECTION 3. Provides that this Act takes effect only if a specific appropriation for the implementation of the Act is provided in a general appropriations act of the 85th Legislature.

SECTION 4. Effective date: September 1, 2017.