

By: Taylor of Collin

S.B. No. 1318

A BILL TO BE ENTITLED

AN ACT

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.

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

SECTION 1. Subchapter A, Chapter 28, Education Code, is amended by adding Section 28.020 to read as follows:

Sec. 28.020. MATHEMATICS INNOVATION ZONES. (a) The commissioner may:

(1) on application of a school district or open-enrollment charter school, designate a campus of the district or school as a mathematics innovation 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) The total amount of grants awarded under this section during the state fiscal biennium ending August 31, 2019, may not exceed \$12.5 million. This subsection expires December 1, 2019.

(b) A campus designated as a mathematics innovation zone must:

(1) implement with fidelity an innovative mathematics instructional program approved by the commissioner for purposes of this section that addresses the essential knowledge and skills of

1 the mathematics curriculum required by Section 28.002;

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

5 (3) provide all data relating to the mathematics
6 innovation zone requested by the agency.

7 (c) A campus designated as a mathematics innovation zone is
8 not subject to interventions under the state accountability system
9 described by Section 39.107(a) or (e) for the first two years of the
10 designation, provided that the campus implements the instructional
11 program with fidelity and complies with each mathematics innovation
12 zone requirement to the satisfaction of the commissioner. The
13 period that a campus is exempt from interventions as provided by
14 this subsection is not:

15 (1) included in calculating consecutive school years
16 under Section 39.107(a) or (e); or

17 (2) considered a break in consecutive school years of
18 unacceptable ratings for purposes of determining the need for
19 intervention under Section 39.107(a) or (e).

20 (d) The commissioner may revoke designation of a campus as a
21 mathematics innovation zone and suspend associated grant funding if
22 the commissioner determines that the campus has failed to implement
23 the instructional program with fidelity or comply with any
24 requirement imposed under this section.

25 (e) A school district or open-enrollment charter school may
26 use a pay for success program approved by the commissioner under
27 Section 44.904 to pay costs associated with designation of a campus

1 as a mathematics innovation zone.

2 (f) The commissioner may accept gifts, grants, or donations
3 from any public or private source for purposes of this section.

4 (g) The commissioner may adopt rules as necessary to
5 administer this section.

6 (h) A decision or determination by the commissioner under
7 this section is final and may not be appealed.

8 SECTION 2. Subchapter Z, Chapter 44, Education Code, is
9 amended by adding Section 44.904 to read as follows:

10 Sec. 44.904. PAY FOR SUCCESS PROGRAMS. (a) In this
11 section, "pay for success program" means a program involving
12 private financing under which payments are dependent on achievement
13 of measurable outcomes.

14 (b) The commissioner may:

15 (1) structure and approve pay for success programs for
16 use by a school district or open-enrollment charter school;

17 (2) evaluate and approve the following participants in
18 a pay for success program:

19 (A) a private investor;

20 (B) an education service provider; and

21 (C) a third-party evaluator; and

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

25 (c) In evaluating a potential participant under Subsection
26 (b)(2), the commissioner may:

27 (1) verify the availability and liquidity of the

1 investment funds of a private investor;

2 (2) evaluate the credentials and effectiveness of an
3 education service provider; and

4 (3) evaluate the credentials and independence of a
5 third-party evaluator.

6 (d) Notwithstanding any other law, a school district or
7 open-enrollment charter school that uses a pay for success program
8 approved by the commissioner is not subject to state procurement
9 requirements that would otherwise apply to the activity funded
10 through the program.

11 (e) The commissioner, the agency, and agency employees are
12 immune from liability for actions associated with the structuring,
13 approval, or implementation of a pay for success program.

14 (f) The commissioner may adopt rules as necessary to
15 implement this section.

16 SECTION 3. This Act takes effect September 1, 2017.