1 AN ACT

2 relating to designation of mathematics innovation zones by the

3 commissioner of education and to the establishment of pay for

4 success programs to provide necessary funding.

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

6 　　SECTION 1.　Subchapter A, Chapter 28, Education Code, is

7 amended by adding Section 28.020 to read as follows:

8 　　Sec. 28.020.　MATHEMATICS　INNOVATION　ZONES.　　(a)　The

9 commissioner may:

10 　　　　(1)　on　application　of　a　school　district　or

11 open-enrollment charter school, designate a campus of the district

12 or school as a mathematics innovation zone; and

13 　　　　(2)　from funds appropriated or donated for purposes of

14 this section, award a grant to support implementation of innovative

15 mathematics　instruction　at　the　campus　in　accordance　with　this

16 section.

17 　　(a-1)　The total amount of grants awarded under this section

18 during the state fiscal biennium ending August 31, 2019, may not

19 exceed $12.5 million.　This subsection expires December 1, 2019.

20 　　(b)　A campus designated as a mathematics innovation zone

21 must:

22 　　　　(1)　implement with fidelity an innovative mathematics

23 instructional program approved by the commissioner for purposes of

24 this section that addresses the essential knowledge and skills of

1

the mathematics curriculum required by Section 28.002;

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

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

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

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

(2) 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) The commissioner may revoke designation of a campus as a mathematics innovation 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 requirement imposed under this section.

(e) A school district or open-enrollment charter school may use a pay for success program approved by the commissioner under 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.

_____   _____
President of the Senate   Speaker of the House

I hereby certify that S.B. No. 1318 passed the Senate on May 4, 2017, by the following vote: Yeas 31, Nays 0.

_____
Secretary of the Senate

I hereby certify that S.B. No. 1318 passed the House on May 23, 2017, by the following vote: Yeas 146, Nays 0, one present not voting.

_____
Chief Clerk of the House

Approved:

_____
Date

_____
Governor