

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

No equivalent provision.

SECTION __. Section 8.051(d), Education Code, is amended to read as follows:

(d) Each regional education service center shall maintain core services for purchase by school districts and campuses. The core services are:

(1) training and assistance in:

(A) teaching each subject area assessed under Section 39.023; and

(B) providing instruction in personal financial literacy as required under Section 28.0021;

(2) training and assistance in providing ~~[a gifted and talented program and]~~ each program that qualifies for a funding allotment under Section 48.102, 48.104, ~~[or]~~ 48.105, or 48.109;

(3) assistance specifically designed for a school district or campus assigned an unacceptable performance rating under Section 39.054;

(4) training and assistance to teachers, administrators, members of district boards of trustees, and members of site-based decision-making committees;

(5) assistance specifically designed for a school district that is considered out of compliance with state or federal special education requirements, based on the agency's most recent compliance review of the district's special education programs; and

(6) assistance in complying with state laws and rules. [FA26(1)]

No equivalent provision.

SECTION __. Section 11.156, Education Code, is amended by adding Subsection (c) to read as follows:

(c) A school district shall:

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

(1) accept from a parent-teacher organization recognized by the district a donation designated to fund supplemental educational staff positions at a school campus; and
(2) spend the donation accepted under Subdivision (1) for the designated purpose at the direction of and within the time period specified by the school campus for which the donation was designated. [FA19(1)]

SECTION __. Section 12.104(b), Education Code, as amended by Chapters 262 (H.B. 1597), 464 (S.B. 11), 467 (H.B. 4170), and 943 (H.B. 3), Acts of the 86th Legislature, Regular Session, 2019, is reenacted and amended to read as follows:

(b) An open-enrollment charter school is subject to:

- (1) a provision of this title establishing a criminal offense;
- (2) the provisions in Chapter 554, Government Code; and
- (3) a prohibition, restriction, or requirement, as applicable, imposed by this title or a rule adopted under this title, relating to:
 - (A) the Public Education Information Management System (PEIMS) to the extent necessary to monitor compliance with this subchapter as determined by the commissioner;
 - (B) criminal history records under Subchapter C, Chapter 22;
 - (C) reading instruments and accelerated reading instruction programs under Section 28.006;
 - (D) accelerated instruction under Section 28.0211;
 - (E) high school graduation requirements under Section 28.025;
 - (F) special education programs under Subchapter A, Chapter 29;
 - (G) bilingual education under Subchapter B, Chapter 29;

No equivalent provision.

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

(H) prekindergarten programs under Subchapter E or E-1, Chapter 29;
(I) extracurricular activities under Section 33.081;
(J) discipline management practices or behavior management techniques under Section 37.0021;
(K) health and safety under Chapter 38;
(L) public school accountability under Subchapters B, C, D, F, G, and J, Chapter 39, and Chapter 39A;
(M) the requirement under Section 21.006 to report an educator's misconduct;
(N) intensive programs of instruction under Section 28.0213;
(O) the right of a school employee to report a crime, as provided by Section 37.148;
(P) bullying prevention policies and procedures under Section 37.0832;
(Q) the right of a school under Section 37.0052 to place a student who has engaged in certain bullying behavior in a disciplinary alternative education program or to expel the student;
(R) the right under Section 37.0151 to report to local law enforcement certain conduct constituting assault or harassment;
(S) a parent's right to information regarding the provision of assistance for learning difficulties to the parent's child as provided by Sections 26.004(b)(11) and 26.0081(c) and (d);
(T) establishment of residency under Section 25.001;
(U) ~~[(T)]~~ school safety requirements under Sections 37.108, 37.1081, 37.1082, 37.109, 37.113, 37.114, 37.115, 37.207, and 37.2071;
(V) ~~[(T)]~~ the early childhood literacy and mathematics proficiency plans under Section 11.185; ~~and~~
(W) ~~[(U)]~~ the college, career, and military readiness plans

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

under Section 11.186; and
(X) establishing a local school health advisory council and
providing health education instruction under Section 28.004.
[FA20(1)]

SECTION 1. Section 12.106, Education Code, is amended by adding Subsections (a-5) and (a-6) to read as follows:
(a-5) To ensure compliance with the requirements for the maintenance of state financial support for special education under 20 U.S.C. Section 1412(a)(18), in determining the funding for an open-enrollment charter school under Subsection (a) for the Section 48.102 allotment, the commissioner shall:
(1) if necessary, increase the amount of that allotment to an amount equal to the amount the charter holder was entitled to receive for the charter school under the allotment under former Section 42.151, Education Code, for the 2018-2019 school year; and
(2) reduce the amount of the allotment the charter holder is entitled to receive for the charter school under Subsection (a-2) by the amount of any increase provided for the charter school under Subdivision (1).
(a-6) Subsection (a-5) and this subsection expire September 1, 2025.

SECTION 1. Same as House version.

SECTION 2. Sections 12.133(b), (b-1), and (c), Education Code, are amended to read as follows:
(b) Each school year, [using state funds received by the charter holder for that purpose under Subsection (d)], a charter holder that participated in the program under Chapter 1579,

SECTION 2. Same as House version.

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

Insurance Code, for the 2005-2006 school year shall provide employees of the charter holder, other than administrators, compensation in the form of annual salaries, incentives, or other compensation determined appropriate by the charter holder that results in an average compensation increase for classroom teachers, full-time librarians, full-time school counselors, and full-time school nurses who are employed by the charter holder and who would be entitled to a minimum salary under Section 21.402 if employed by a school district, in an amount at least equal to \$2,500.

(b-1) ~~A [Using state funds received by the charter holder for that purpose under Subsection (d-1), a]~~ a charter holder that participated in the program under Chapter 1579, Insurance Code, for the 2005-2006 school year shall provide employees of the charter holder, other than administrators, compensation in the form of annual salaries, incentives, or other compensation determined appropriate by the charter holder that results in average compensation increases as follows:

(1) for full-time employees other than employees who would be entitled to a minimum salary under Section 21.402 if employed by a school district, an average increase at least equal to \$500; and

(2) for part-time employees, an average increase at least equal to \$250.

(c) Each school year, ~~[using state funds received by the charter holder for that purpose under Subsection (e),]~~ a charter holder that did not participate in the program under Chapter 1579, Insurance Code, for the 2005-2006 school year shall provide employees of the charter holder, other than administrators, compensation in the form of annual salaries, incentives, or other compensation determined appropriate by the charter holder that results in an average compensation

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

increase for classroom teachers, full-time librarians, full-time school counselors, and full-time school nurses who are employed by the charter holder and who would be entitled to a minimum salary under Section 21.402 if employed by a school district, in an amount at least equal to \$2,000.

SECTION 3. Section 21.3521(a), Education Code, is amended to read as follows:
(a) Subject to Subsection (b), a school district or open-enrollment charter school may designate a ~~[certified]~~ classroom teacher as a master, exemplary, or recognized teacher for a five-year period based on the results from single year or multiyear appraisals that comply with Section 21.351 or 21.352.

No equivalent provision.

No equivalent provision.

SECTION 3. Same as House version.

Same as House version. SECTION 4. [Deleted by FA4(1)]

SECTION __. Section 28.004, Education Code, is amended by amending Subsections (d-1), (h), (i), (i-1), and (j) and adding Subsections (d-2), (e-1), (e-2), (e-3), (i-2), (j-1), and (p) to read as follows: [FA20(1),FA21(1)]
(d-1) The local school health advisory council shall meet at least four times each year. For each meeting, the council shall:
(1) at least 72 hours before the meeting;
(A) post notice of the date, hour, place, and subject of the meeting on a bulletin board in the central administrative office of each campus in the school district; and
(B) ensure that the notice required under Paragraph (A) is

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

posted on the district's Internet website, if the district has an Internet website;

(2) allow the public to attend the meeting and provide an opportunity for public comment;

(3) prepare and maintain minutes of the meeting that state the subject and content of each deliberation and each vote, order, decision, or other action taken by the council during the meeting;

(4) make an audio or video recording of the meeting; and

(5) not later than the 10th day after the meeting, submit the minutes and audio or video recording of the meeting to the district.

(d-2) As soon as practicable after receipt of the minutes and audio or video recording under Subsection (d-1)(5), the school district shall post the minutes and audio or video recording on the district's Internet website, if the district has an Internet website.

(e-1) The board of trustees shall adopt a policy establishing a process for the adoption of curriculum materials for the school district's human sexuality instruction. The policy must require:

(1) the board to adopt a resolution convening the local school health advisory council for the purpose of making recommendations regarding the curriculum materials;

(2) the local school health advisory council to:

(A) after the board's adoption of the resolution under Subdivision (1), hold at least two public meetings, at which an opportunity for public comment is provided, on the curriculum materials before adopting recommendations; and

(B) provide the recommendations adopted under Paragraph (A) to the board at a public meeting of the board, at which an opportunity for public comment is provided; and

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

(3) the board, after receipt of the local school health advisory council's recommendations under Subdivision (2), to take action on the adoption of the recommendations by a record vote at a public meeting.

(e-2) Curriculum materials proposed to be adopted for the school district's human sexuality instruction must be made available as provided by Subsection (j)(1) or (2)(A) or (C), as applicable.

(e-3) Before adopting curriculum materials for the school district's human sexuality instruction, the board of trustees shall ensure that the curriculum materials are:

(1) based on the advice of the local school health advisory council;

(2) suitable for the subject and grade level for which the curriculum materials are intended; and

(3) reviewed by academic experts in the subject and grade level for which the curriculum materials are intended.

(h) The board of trustees shall determine the specific content of the district's instruction in human sexuality, in accordance with this section [Subsections (e), (f), and (g)].

(i) Before each school year, a school district shall provide written notice to a parent of each student enrolled in the district of the board of trustees' decision regarding whether the district will provide human sexuality instruction to district students. If instruction will be provided, the notice must include:

(1) a [summary of the basic content of the district's human sexuality instruction to be provided to the student, including a] statement informing the parent of the human sexuality instruction [instructional] requirements under state law;

(2) a detailed description of the content of the district's human sexuality instruction and a general schedule on which the

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

instruction will be provided;

(3) a statement of the parent's right to:

(A) at the parent's discretion, review or purchase a copy of curriculum materials as provided by Subsection (j); ~~[and]~~ [FA20(1)]

(B) refuse consent for ~~[remove]~~ the student to receive all or ~~[from]~~ any part of the district's human sexuality instruction without subjecting the student to any disciplinary action, academic penalty, or other sanction imposed by the district or the student's school; and [FA20(1),FA21(2)]

(C) use the grievance procedure as provided by Subsection (i-1) or the appeals process under Section 7.057 concerning a complaint of a violation of this section;

(4) a statement that any curriculum materials in the public domain used for the district's human sexuality instruction must be posted on the district's Internet website, if the district has an Internet website, and the Internet website address at which the curriculum materials are located; and

(5) ~~[(3)]~~ information describing the opportunities for parental involvement in the development of the curriculum to be used in human sexuality instruction, including information regarding the local school health advisory council established under Subsection (a).

(i-1) A parent may use the grievance procedure adopted under Section 26.011 concerning a complaint of a violation of this section ~~[Subsection (i)]~~. [FA20(1)]

(i-2) Before a student may be provided with human sexuality instruction, a school district must obtain the written consent of the student's parent. A request for written consent under this subsection:

(1) may not be included with any other notification or request for written consent provided to the parent, other than the

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

notice provided under Subsection (i); and
(2) must be provided to the parent not later than the 14th day before the date on which the human sexuality instruction begins. [FA20(1),FA21(3)]
(j) A school district shall make all curriculum materials used in the district's human sexuality instruction available by:
(1) for curriculum materials in the public domain:
(A) providing a copy of the curriculum materials by mail or e-mail to a parent of a student enrolled in the district on the parent's request; and
(B) posting the curriculum materials on the district's Internet website, if the district has an Internet website; and
(2) for copyrighted curriculum materials, allowing a parent of a student enrolled in the district to:
(A) review the curriculum materials at the student's campus at any time during regular business hours;
(B) purchase a copy of the curriculum materials from the publisher as provided by the district's purchase agreement for the curriculum materials under Subsection (j-1); or
(C) review the curriculum materials online through a secure electronic account in a manner that prevents the curriculum materials from being copied and that otherwise complies with copyright law [for reasonable public inspection].
(j-1) If a school district purchases from a publisher copyrighted curriculum materials for use in the district's human sexuality instruction, the district shall ensure that the purchase agreement provides for a means by which a parent of a student enrolled in the district may purchase a copy of the curriculum materials from the publisher at a price that does not exceed the price per unit paid by the district for the curriculum materials.
(p) In this section:

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

(1) "Curriculum materials" includes the curriculum, teacher training materials, and any other materials used in providing instruction.
(2) "Human sexuality instruction," "instruction in human sexuality," and "instruction relating to human sexuality" include instruction in reproductive health. [FA20(1)]

SECTION 4. Section 28.0062(a), Education Code, is amended to read as follows:

(a) Each school district and open-enrollment charter school shall:

(1) provide for the use of a phonics curriculum that uses systematic direct instruction in kindergarten through third grade to ensure all students obtain necessary early literacy skills;

(2) ensure that:

(A) not later than the 2023-2024 ~~[2021-2022]~~ school year, each classroom teacher in kindergarten or first, second, or third grade and each principal at a campus with kindergarten or first, second, or third grade has attended a teacher literacy achievement academy developed under Section 21.4552; and

(B) each classroom teacher and each principal initially employed in a grade level or at a campus described by Paragraph (A) for the 2023-2024 ~~[2021-2022]~~ school year or a subsequent school year has attended a teacher literacy achievement academy developed under Section 21.4552 by the end of [before] the teacher's or principal's first year of placement in that grade level or campus; and

(3) certify to the agency that the district or school:

(A) prioritizes placement of highly effective teachers in kindergarten through second grade; and

SECTION 5. Section 28.0062(a), Education Code, is amended to read as follows:

(a) Each school district and open-enrollment charter school shall:

(1) provide for the use of a phonics curriculum that uses systematic direct instruction in kindergarten through third grade to ensure all students obtain necessary early literacy skills;

(2) ensure that:

(A) not later than the 2022-2023 ~~[2021-2022]~~ school year, each classroom teacher in kindergarten or first, second, or third grade and each principal at a campus with kindergarten or first, second, or third grade has attended a teacher literacy achievement academy developed under Section 21.4552; and

(B) each classroom teacher and each principal initially employed in a grade level or at a campus described by Paragraph (A) for the 2022-2023 ~~[2021-2022]~~ school year or a subsequent school year has attended a teacher literacy achievement academy developed under Section 21.4552 by the end of [before] the teacher's or principal's first year of placement in that grade level or campus; and

(3) certify to the agency that the district or school:

(A) prioritizes placement of highly effective teachers in kindergarten through second grade; and

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (IE)	CONFERENCE
(B) has integrated reading instruments used to diagnose reading development and comprehension to support each student in prekindergarten through third grade.	(B) has integrated reading instruments used to diagnose reading development and comprehension to support each student in prekindergarten through third grade.	
No equivalent provision.	<p>SECTION __. Section 29.026, Education Code, is amended by amending Subsections (c), (h), (k), and (o) and adding Subsection (l-1) to read as follows:</p> <p>(c) A program is eligible for a grant under this section if <u>the program</u>:</p> <p>(1) [the program operates as an independent campus or a separate program from the campus in which the program is located, with a separate budget;</p> <p>[(2) the program] incorporates:</p> <p>(A) evidence-based and research-based design;</p> <p>(B) the use of empirical data on student achievement and improvement;</p> <p>(C) parental support and collaboration;</p> <p>(D) the use of technology;</p> <p>(E) meaningful inclusion; and</p> <p>(F) the ability to replicate the program for students statewide; <u>and</u></p> <p>[(2) [(3) the program] gives priority for enrollment to students with autism[;</p> <p>[(4) the program limits enrollment and services to students who are:</p> <p>[(A) at least three years of age; and</p> <p>[(B) younger than nine years of age or are enrolled in the third grade or a lower grade level; and</p> <p>[(5) the program allows a student who turns nine years of age or older during a school year to remain in the program until the end of that school year].</p>	

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

(h) ~~[The commissioner shall award grants to fund not more than 10 programs that meet the eligibility criteria under Subsection (e).]~~ In selecting programs to receive a grant under this section, the commissioner shall prioritize programs that are collaborations between multiple school districts, multiple charter schools, or school districts and charter schools. The selected programs must reflect the diversity of this state.

(k) The commissioner shall use ~~[set aside an amount not to exceed \$20 million from the total amount of]~~ funds appropriated or otherwise available ~~[for the 2018-2019 fiscal biennium]~~ to fund grants under this section. ~~[The commissioner shall use \$10 million for the purposes of this section for each school year in the state fiscal biennium. A grant recipient may not receive more than \$1 million for the 2018-2019 fiscal biennium. The commissioner shall reduce each district's and charter school's allotment proportionally to account for funds allocated under this section.]~~

(l-1) A regional education service center may administer grants awarded under this section.

(o) This section expires September 1, 2023 ~~[2024]~~.
[FA15(2)]

SECTION __. Section 29.027, Education Code, is amended to read as follows:

Sec. 29.027. GRANT PROGRAM PROVIDING TRAINING IN ~~[SERVICES TO STUDENTS WITH]~~ DYSLEXIA FOR TEACHERS AND STAFF. (a) The commissioner shall establish a program to award grants to school districts and open-enrollment charter schools to increase local capacity to appropriately serve ~~[that provide innovative services to]~~ students with dyslexia.

No equivalent provision.

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

(b) A school district, including a school district acting through a district charter issued under Subchapter C, Chapter 12, ~~or~~ ~~[and]~~ an open-enrollment charter school, including a charter school that primarily serves students with disabilities, as provided under Section 12.1014, is eligible to ~~[may]~~ apply for a grant under this section[-

~~[(c) A program is eligible for a grant under this section] if the district or school submits to the commissioner a proposal on the use of grant funds that:~~

~~(1) [the program operates as an independent campus or a separate program from the campus in which the program is located, with a separate budget;~~

~~[(2) the program] incorporates[:~~

~~[(A)] evidence-based and research-based design; and~~

(2) increases local capacity to appropriately serve students with dyslexia by providing:

(A) high-quality training to classroom teachers and administrators in meeting the needs of students with dyslexia;
or

(B) training to intervention staff resulting in appropriate credentialing related to dyslexia ~~[the use of empirical data on student achievement and improvement;~~

~~[(C) parental support and collaboration;~~

~~[(D) the use of technology;~~

~~[(E) meaningful inclusion; and~~

~~[(F) the ability to replicate the program for students statewide;~~

~~[(3) the program gives priority for enrollment to students with dyslexia;~~

~~[(4) the program limits enrollment and services to students who are:~~

~~[(A) at least three years of age; and~~

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

~~[(B) younger than nine years of age or are enrolled in the third grade or a lower grade level; and~~
~~[(5) the program allows a student who turns nine years of age or older during a school year to remain in the program until the end of that school year].~~
~~(c) [(d) A school district or open-enrollment charter school may not:~~
~~[(1) charge a fee for the program, other than those authorized by law for students in public schools;~~
~~[(2) require a parent to enroll a child in the program;~~
~~[(3) allow an admission, review, and dismissal committee to place a student in the program without the written consent of the student's parent or guardian; or~~
~~[(4) continue the placement of a student in the program after the student's parent or guardian revokes consent, in writing, to the student's placement in the program.~~
~~[(e) A program under this section may:~~
~~[(1) alter the length of the school day or school year or the number of minutes of instruction received by students;~~
~~[(2) coordinate services with private or community-based providers;~~
~~[(3) allow the enrollment of students without disabilities or with other disabilities, if approved by the commissioner; and~~
~~[(4) adopt staff qualifications and staff to student ratios that differ from the applicable requirements of this title.~~
~~[(f) The commissioner shall adopt rules creating an application and selection process for grants awarded under this section.~~
~~[(g)]~~ The commissioner shall create an external panel of stakeholders, including parents of students with disabilities, to provide assistance in the selection of applications for the award of grants under this section.

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

~~(d) [(h)] The commissioner shall award grants to fund not more than 10 programs that meet the eligibility criteria under Subsection (e). In selecting programs, the commissioner shall prioritize programs that are collaborations between multiple school districts, multiple charter schools, or school districts and charter schools. The selected programs must reflect the diversity of this state.~~

~~[(i)]~~ The commissioner shall select grant recipients ~~[programs]~~ and award grant funds ~~[to those programs]~~ beginning in the 2021-2022 ~~[2018-2019]~~ school year. The grants ~~[selected programs]~~ are to be awarded ~~[funded]~~ for two years.

~~(e) [(j)]~~ A grant awarded to a school district or open-enrollment charter school under this section is in addition to the Foundation School Program funds that the district or charter school is otherwise entitled to receive. A grant awarded under this section may not come out of Foundation School Program funds.

~~(f) [(k)]~~ The commissioner shall use ~~[set aside an amount not to exceed \$20 million from the total amount of]~~ funds appropriated or otherwise available ~~[for the 2018-2019 fiscal biennium]~~ to fund grants under this section. ~~[The commissioner shall use \$10 million for the purposes of this section for each school year in the state fiscal biennium. A grant recipient may not receive more than \$1 million for the 2018-2019 fiscal biennium. The commissioner shall reduce each district's and charter school's allotment proportionally to account for funds allocated under this section.]~~

~~(g) [(4)]~~ The commissioner and any grant recipient ~~[program]~~ selected under this section may accept gifts, grants, and donations from any public or private source, person, or group to implement and administer the grant ~~[program]~~. The

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

commissioner and any grant recipient ~~[program]~~ selected under this section may not require any financial contribution from parents to implement and administer the grant ~~[program]~~.

~~(h) A regional education service center may administer grants awarded under this section.~~

~~(i) [(m) The commissioner may consider a student with dyslexia who is enrolled in a program funded under this section as funded in a mainstream placement, regardless of the amount of time the student receives services in a regular classroom setting.~~

~~[(n) Not later than December 31, 2020, the commissioner shall publish a report on the grant program established under this section. The report must include:~~

~~[(1) recommendations for statutory or funding changes necessary to implement successful innovations in the education of students with dyslexia; and~~

~~[(2) data on the academic and functional achievements of students enrolled in a program that received a grant under this section.~~

~~[(o)] This section expires September 1, 2023 [2024].~~
~~[FA15(2)]~~

SECTION 5. Section 29.153, Education Code, is amended by amending Subsection (d-1) and adding Subsection (d-2) to read as follows:

(d-1) A district may not receive an exemption under Subsection (d) unless the district has:

(1) solicited [and considered at a public meeting] proposals for partnerships in accordance with guidance regarding soliciting partnerships provided by the agency; and

SECTION 6. Section 29.153(d-1), Education Code, is amended to read as follows:

(d-1) A district may not receive an exemption under Subsection (d) unless the district has solicited ~~[and considered at a public meeting]~~ proposals for partnerships with public or private entities regarding prekindergarten classes required under this section ~~in~~

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

(2) considered submitted proposals at a public meeting with public or private entities regarding prekindergarten classes required under this section ~~[with public or private entities regarding prekindergarten classes required under this section]~~.
(d-2) A decision of the board of trustees regarding a partnership described by Subsection (d-1) ~~[this subsection]~~ is final.

No equivalent provision.

SENATE VERSION (IE)

accordance with guidance provided by the agency regarding soliciting partnerships and considered submitted proposals at a public meeting.

A decision of the board of trustees regarding a partnership described by this subsection is final.

CONFERENCE

SECTION __. Subchapter Z, Chapter 29, Education Code, is amended by adding Section 29.934 to read as follows:
Sec. 29.934. RESOURCE CAMPUS. (a) A school district campus that is eligible under Subsection (b) may apply to the commissioner to be designated as a resource campus that provides quality education and enrichment for campus students.
(b) To apply to be designated as a resource campus under this section, the campus must have received an overall performance rating under Section 39.054 of F for four years over a 10-year period of time.
(c) A campus notified by the commissioner under Subsection (f) that the campus has been designated as a resource campus qualifies for funding as provided by Section 48.252 for each year the campus maintains approval to operate as a resource campus regardless of whether the campus is unacceptable or does not qualify under Subsection (b).
(d) To be designated as a resource campus, the campus must:
(1) implement a targeted improvement plan as described by Chapter 39A and establish a school community partnership team;
(2) adopt an accelerated campus excellence turnaround plan as provided by Section 39A.105(b) except that a classroom

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

teacher who satisfies the requirements for demonstrated instructional effectiveness under Section 39A.105(b)(3) must also hold a current designation assigned under Section 21.3521;
(3) be in a school district that has adopted an approved local optional teacher designation system under Section 21.3521;
(4) satisfy certain staff criteria by:
(A) requiring a principal or teacher employed at the campus before the designation to apply for a position to continue at the campus;
(B) employing only teachers who have at least three years of teaching experience;
(C) employing at least one school counselor for every 300 students; and
(D) employing at least one appropriately licensed professional to assist with the social and emotional needs of students and staff, who must be a:
(i) family and community liaison;
(ii) clinical social worker;
(iii) specialist in school psychology; or
(iv) professional counselor;
(5) implement a positive behavior program as provided by Section 37.0013;
(6) implement a family engagement plan as described by Section 29.168;
(7) develop and implement a plan to use high quality instructional materials;
(8) if the campus is an elementary campus, operate the campus for a school year that qualifies for funding under Section 48.0051; and
(9) annually submit to the commissioner data and information required by the commissioner to assess fidelity of

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

implementation.
(e) On the request of a school district, the agency shall assist the district in:
(1) applying for designation of a district campus as a resource campus; and
(2) developing and implementing a plan to operate a district campus as a resource campus.
(f) The commissioner shall notify a campus if it has been designated as a resource campus not later than the 60th day after the date the commissioner receives the request for the designation.
(g) A campus approved to operate as a resource campus must annually submit to the commissioner data and information requested by the commissioner for purposes of determining whether the campus has met the measure of fidelity of implementation required to maintain status as a resource campus.
(h) If a campus fails to maintain status as a resource campus for two consecutive years, the campus is not eligible for designation as a resource campus. A campus subject to this subsection may reapply for designation as a resource campus if the campus qualifies under Subsection (b).
(i) A decision by the commissioner regarding whether to designate a campus as a resource campus is final and may not be appealed.
(j) The commissioner may adopt rules necessary to implement this section. [FA17]

SECTION 6. Section 31.0211(c), Education Code, is amended to read as follows:
(c) Subject to Subsection (d), funds allotted under this section

SECTION 7. Same as House version.

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (IE)	CONFERENCE
<p>may be used to:</p> <p>(1) purchase:</p> <p>(A) materials on the list adopted by the commissioner, as provided by Section 31.0231;</p> <p>(B) instructional materials, regardless of whether the instructional materials are on the list adopted under Section 31.024;</p> <p>(C) consumable instructional materials, including workbooks;</p> <p>(D) instructional materials for use in bilingual education classes, as provided by Section 31.029;</p> <p>(E) instructional materials for use in college preparatory courses under Section 28.014, as provided by Section 31.031;</p> <p>(F) supplemental instructional materials, as provided by Section 31.035;</p> <p>(G) state-developed open education resource instructional materials, as provided by Subchapter B-1;</p> <p>(H) instructional materials and technological equipment under any continuing contracts of the district in effect on September 1, 2011;</p> <p>(I) technological equipment necessary to support the use of materials included on the list adopted by the commissioner under Section 31.0231 or any instructional materials purchased with an allotment under this section; and</p> <p>(J) inventory software or systems for storing, managing, and accessing instructional materials and analyzing the usage and effectiveness of the instructional materials; and</p> <p>(2) pay:</p> <p>(A) for training educational personnel directly involved in student learning in the appropriate use of instructional materials and for providing for access to technological equipment for instructional use; and</p> <p>(B) the salary and other expenses of an employee who</p>		

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

provides technical support for the use of technological equipment directly involved in student learning; and (C) for costs associated with distance learning, including Wi-Fi, Internet access hotspots, wireless network service, broadband service, and other services and technological equipment necessary to facilitate Internet access.

No equivalent provision.

SENATE VERSION (IE)

CONFERENCE

SECTION __. Section 32.155, Education Code, is amended to read as follows:

Sec. 32.155. PROTECTION OF COVERED INFORMATION. (a) An operator must implement and maintain reasonable security procedures and practices designed to protect any covered information from unauthorized access, deletion, use, modification, or disclosure. (b) Any operator that has been approved by the agency or had a product adopted by the agency and possesses any covered information must use the unique identifier established by the Texas Student Data System (TSDS) or a successor data management system maintained by the agency for any account creation, data upload, data transmission, analysis, or reporting to mask all personally identifiable student information. The operator shall adhere to a state-required student data sharing agreement that includes an established unique identifier standard for all operators as prescribed by the agency. (c) In addition to including the unique identifier in releasing information as provided by Subsection (b), an operator may include any other data field identified by the agency or by a school district, open-enrollment charter school, regional education service center, or other local education agency as necessary for the information being released to be useful. (d) A school district, open-enrollment charter school, regional

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

education service center, or other local education agency may include additional data fields in an agreement with an operator or the amendment of an agreement with an operator under this section. An operator may agree to include the additional data fields requested by a school district, open-enrollment charter school, regional education service center, or other local education agency but may not require that additional data fields be included.

(e) A school district, open-enrollment charter school, regional education service center, or other local education agency may require an operator that contracts directly with the entity to adhere to a state-required student data sharing agreement that includes the use of an established unique identifier standard for all operators as prescribed by the agency.

(f) A national assessment provider who receives covered information from a student or from a school district or campus on behalf of a student is not required to comply with Subsection (b) or (e) if the provider receives the covered information solely to provide access to:

(1) employment, educational scholarships, financial aid, or postsecondary educational opportunities; or

(2) educational resources for middle school, junior high school, or high school students.

(g) The commissioner may adopt rules as necessary to administer this section. [FA29]

SECTION 7. Section 37.108(b-1), Education Code, is amended to read as follows:

(b-1) In a school district's safety and security audit required under Subsection (b), the district must certify that the district used the funds provided to the district through the school

SECTION 8. Same as House version.

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

safety allotment under Section 48.115 [42.168] only for the purposes provided by that section.

SECTION 8. Section 39.0261, Education Code, is amended by adding Subsection (a-1) and amending Subsection (b) to read as follows:

(a-1) Notwithstanding Subsection (a)(3), the commissioner by rule may allow a student to take at state cost an assessment instrument described by that subdivision if circumstances existed that prevented the student from taking the assessment instrument before the student graduated from high school.

(b) The agency shall:

(1) select and approve vendors of the specific assessment instruments administered under this section and negotiate with each approved vendor a price for each assessment instrument; and

(2) provide reimbursement to a school district in the amount negotiated under Subdivision (1) for ~~[all fees associated with]~~ the administration of the assessment instrument from funds appropriated for that purpose.

SECTION 9. Same as House version.

SECTION 9. Section 39.053(g-4), Education Code, is amended to read as follows:

(g-4) For purposes of the computation of dropout and completion rates such as high school graduation rates under Subsection (c)(1)(B)(ix), the commissioner shall exclude a student who was reported as having dropped out of school under Section 48.009(b-4) [42.006(a-9)], and the student may not be considered to have dropped out from the school district or campus in which the student was last enrolled.

SECTION 10. Same as House version.

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 10. Section 45.0021, Education Code, is amended by amending Subsection (a) and adding Subsections (c), (d), (e), (f), and (g) to read as follows:

(a) A school district may not levy ~~[increase the rate of]~~ the district's maintenance taxes described by Section 45.002 at a rate intended to create a surplus in maintenance tax revenue for the purpose of paying the district's debt service.

(c) The agency shall:

(1) develop a method to identify school districts that may have adopted a maintenance tax rate in violation of Subsection (a), which must include a review of data over multiple years;

(2) for each school district identified under the method developed under Subdivision (1), investigate as necessary to determine whether the district has adopted a maintenance tax rate in violation of Subsection (a); and

(3) if the agency determines that a school district has adopted a maintenance tax rate in violation of Subsection (a):

(A) order the district to comply with Subsection (a) not later than three years after the date of the order;

(B) assist the district in developing a corrective action plan that, to the extent feasible, does not result in a net increase in the district's total tax rate; and

(C) post the name of the school district on the agency's Internet website.

(d) The implementation of a corrective action plan under Subsection (c)(3)(B) does not prohibit a school district from increasing the district's total tax rate as necessary to achieve other legal purposes.

(e) If a school district fails to take action under a corrective

SENATE VERSION (IE)

SECTION 11. Section 45.0021, Education Code, is amended by amending Subsection (a) and adding Subsections (c), (d), (e), and (f) to read as follows:

(a) A school district may not levy ~~[increase the rate of]~~ the district's maintenance taxes described by Section 45.002 at a rate intended to create a surplus in maintenance tax revenue for the purpose of paying the district's debt service.

(c) The agency shall:

(1) develop a method to identify school districts that may have adopted a maintenance tax rate in violation of Subsection (a), which must include a review of data over multiple years;

(2) for each school district identified under the method developed under Subdivision (1), investigate as necessary to determine whether the district has adopted a maintenance tax rate in violation of Subsection (a);

(3) if the agency determines that a school district has adopted a maintenance tax rate in violation of Subsection (a):

(A) order the district to comply with Subsection (a) not later than three years after the date of the order; and

(B) assist the district in developing a corrective action plan that, to the extent feasible, does not result in a net increase in the district's total tax rate; and

(4) post on the agency's Internet website a list of each school district the agency has determined to have adopted a maintenance tax rate in violation of Subsection (a).

(d) The implementation of a corrective action plan under Subsection (c)(3)(B) does not prohibit a school district from increasing the district's total tax rate as necessary to achieve other legal purposes.

(e) If a school district fails to take action under a corrective

CONFERENCE

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

action plan developed under Subsection (c)(3)(B), the commissioner may reduce the district's entitlement under Chapter 48 by an amount equal to the difference between:

(1) the amount of state and local funding the district received as a result of adopting a maintenance tax rate in violation of Subsection (a); and

(2) the amount of state and local funding the district would have received if the district had not adopted a maintenance tax rate in violation of Subsection (a).

(f) This section does not prohibit a school district from using a surplus in maintenance tax revenue to pay the district's debt service if:

(1) the district's interest and sinking fund tax revenue is insufficient to pay the district's debt service due to circumstances beyond the district's control; and

(2) the use of the surplus maintenance tax revenue to pay the district's debt service is necessary to prevent a default on the district's debt.

(g) This section may not be construed to prohibit a school district from:

(1) paying a portion of the district's maintenance tax revenue into the tax increment fund for a reinvestment zone under Chapter 311, Tax Code; or

(2) using money disbursed from the tax increment fund for a reinvestment zone under Chapter 311, Tax Code, in accordance with the agreement entered into by the district with the governing body of the municipality or county that designated the zone under Section 311.013(f) of that code.

No equivalent provision.

SENATE VERSION (IE)

action plan developed under Subsection (c)(3)(B), the commissioner may reduce the district's entitlement under Chapter 48 by an amount equal to the difference between:

(1) the amount of state and local funding the district received as a result of adopting a maintenance tax rate in violation of Subsection (a); and

(2) the amount of state and local funding the district would have received if the district had not adopted a maintenance tax rate in violation of Subsection (a).

(f) This section does not prohibit a school district from:

(1) using a surplus in maintenance tax revenue to pay the district's debt service if:

(A) the district's interest and sinking fund tax revenue is insufficient to pay the district's debt service due to circumstances beyond the district's control; and

(B) the use of the surplus maintenance tax revenue to pay the district's debt service is necessary to prevent a default on the district's debt;

(2) paying a portion of the district's maintenance tax revenue into the tax increment fund for a reinvestment zone under Chapter 311, Tax Code; or

(3) using money disbursed from the tax increment fund for a reinvestment zone under Chapter 311, Tax Code, in accordance with the agreement entered into by the district with the governing body of the municipality or county that designated the zone under Section 311.013(f) of that code.

SECTION __. Section 48.005(d), Education Code, is amended to read as follows:

CONFERENCE

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

(d) The commissioner may adjust the average daily attendance of a school district in which a disaster, flood, extreme weather condition, fuel curtailment, or other calamity has a significant effect on the district's attendance. In addition to providing the adjustment for the amount of instructional days during the semester in which the calamity first occurred, an adjustment under this section may only be provided based on a particular calamity for an additional amount of instructional days equivalent to one school year. The commissioner may divide the adjustment between two consecutive school years. [FA27]

SECTION 11. Section 48.009, Education Code, is amended by amending Subsection (b) and adding Subsection (b-4) to read as follows:

(b) The commissioner by rule shall require each school district and open-enrollment charter school to report through the Public Education Information Management System information regarding:

- (1) the number of students enrolled in the district or school who are identified as having dyslexia;
- (2) the availability of school counselors, including the number of full-time equivalent school counselors, at each campus;
- (3) the availability of expanded learning opportunities as described by Section 33.252 at each campus;
- (4) the total number of students, other than students described by Subdivision (5), enrolled in the district or school with whom the district or school, as applicable, used intervention strategies, as that term is defined by Section 26.004, at any time during the year for which the report is made; ~~and~~
- (5) the total number of students enrolled in the district or

SECTION 12. Same as House version.

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

school to whom the district or school provided aids, accommodations, or services under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), at any time during the year for which the report is made;

(6) disaggregated by campus and grade, the number of:

(A) children who are required to attend school under Section 25.085, are not exempted under Section 25.086, and fail to attend school without excuse for 10 or more days or parts of days within a six-month period in the same school year;

(B) students for whom the district initiates a truancy prevention measure under Section 25.0915(a-4); and

(C) parents of students against whom an attendance officer or other appropriate school official has filed a complaint under Section 25.093; and

(7) the number of students who are enrolled in a high school equivalency program, a dropout recovery school, or an adult education program provided under a high school diploma and industry certification charter school program provided by the district or school and who:

(A) are at least 18 years of age and under 26 years of age;

(B) have not previously been reported to the agency as dropouts; and

(C) enroll in the program at the district or school after not attending school for a period of at least nine months.

(b-4) A student reported under Subsection (b)(7) as having enrolled in a high school equivalency program, a dropout recovery school, or an adult education program provided under a high school diploma and industry certification charter school program must be reported through the Public Education Information Management System as having previously dropped out of school.

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 12. Section 48.051, Education Code, is amended by adding Subsection (c-1) to read as follows:

(c-1) A school district employee who received a salary increase under Subsection (c) from a school district for the 2019-2020 school year is, as long as the employee remains employed by the same district, entitled to salary that is at least equal to the salary the employee received for the 2019-2020 school year. This subsection does not apply if the board of trustees of the school district at which the employee is employed:

- (1) complies with Sections 21.4021, 21.4022, and 21.4032 in reducing the employee's salary; and
- (2) has adopted a resolution declaring a financial exigency for the district under Section 44.011.

SECTION 13. Section 48.104, Education Code, is amended by adding Subsection (e-1) and amending Subsections (j-1) and (k) to read as follows:

(e-1) For each student who is a homeless child or youth as defined by 42 U.S.C. Section 11434a, a school district is entitled to an annual allotment equal to the basic allotment multiplied by the highest weight provided under Subsection (d).

(j-1) In addition to other purposes for which funds allocated under this section may be used, those funds may also be used to:

- (1) provide child-care services or assistance with child-care expenses for students at risk of dropping out of school, as described by Section 29.081(d)(5); [øø]
- (2) pay the costs associated with services provided through a life skills program in accordance with Sections 29.085(b)(1)

SENATE VERSION (IE)

No equivalent provision.

CONFERENCE

SECTION 13. Section 48.104, Education Code, is amended by adding Subsection (e-1) and amending Subsections (j-1) and (k) to read as follows:

(e-1) For each student who is a homeless child or youth as defined by 42 U.S.C. Section 11434a, a school district is entitled to an annual allotment equal to the basic allotment multiplied by the highest weight provided under Subsection (d).

(j-1) In addition to other purposes for which funds allocated under this section may be used, those funds may also be used to:

- (1) provide child-care services or assistance with child-care expenses for students at risk of dropping out of school, as described by Section 29.081(d)(5); [øø]
- (2) pay the costs associated with services provided through a life skills program in accordance with Sections 29.085(b)(1)

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

and (3)-(7); or
(3) pay costs for services provided by an instructional coach to raise student achievement at a campus in which educationally disadvantaged students are enrolled.

- (k) At least 55 percent of the funds allocated under this section must be used to:
- (1) fund supplemental programs and services, including services provided by an instructional coach, designed to eliminate any disparity in performance on assessment instruments administered under Subchapter B, Chapter 39, or disparity in the rates of high school completion between:
- (A) students who are educationally disadvantaged and students who are not educationally disadvantaged; and
- (B) students at risk of dropping out of school, as defined by Section 29.081, and all other students; or
- (2) support a program eligible under Title I of the Elementary and Secondary Education Act of 1965, as provided by Pub. L. No. 103-382 and its subsequent amendments, and by federal regulations implementing that Act.

SECTION 14. Section 48.106, Education Code, is amended by amending Subsection (a) and adding Subsections (a-1) and (d) to read as follows:

(a) For each full-time equivalent student in average daily attendance in an approved career and technology education program in grades 7 through 12, a district is entitled to[:

~~[(1)]~~ an annual allotment equal to the basic allotment, or, if

SENATE VERSION (IE)

- and (3)-(7); [FA5(1)]
- (3) pay costs for services provided by an instructional coach to raise student achievement at a campus in which educationally disadvantaged students are enrolled; or
- (4) pay expenses related to reducing the dropout rate and increasing the rate of high school completion, including expenses related to duties performed by attendance officers to support educationally disadvantaged students. [FA5(2)]
- (k) At least 55 percent of the funds allocated under this section must be used to:
- (1) fund supplemental programs and services, including services provided by an instructional coach, designed to eliminate any disparity in performance on assessment instruments administered under Subchapter B, Chapter 39, or disparity in the rates of high school completion between:
- (A) students who are educationally disadvantaged and students who are not educationally disadvantaged; and
- (B) students at risk of dropping out of school, as defined by Section 29.081, and all other students; or
- (2) support a program eligible under Title I of the Elementary and Secondary Education Act of 1965, as provided by Pub. L. No. 103-382 and its subsequent amendments, and by federal regulations implementing that Act.

SECTION 14. Same as House version.

CONFERENCE

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (IE)	CONFERENCE
<p><u>applicable, the sum of the basic allotment and the allotment under Section 48.101 to which the district is entitled, multiplied by:</u></p> <p><u>(1) 1.1 for a full-time equivalent student in career and technology education courses not in an approved program of study;</u></p> <p><u>(2) 1.28 for a full-time equivalent student in levels one and two career and technology education courses in an approved program of study, as identified by the agency [a weight of 1.35]; and</u></p> <p><u>(3) 1.47 for a full-time equivalent student in levels three and four career and technology education courses in an approved program of study, as identified by the agency.</u></p> <p><u>(a-1) In addition to the amounts under Subsection (a), for each student in average daily attendance, a district is entitled to</u></p> <p><u>[(2)] \$50 for each of the following in which the student is enrolled:</u></p> <p><u>(1) [(A) two or more advanced career and technology education classes for a total of three or more credits;</u></p> <p><u>[(B)] a campus designated as a P-TECH school under Section 29.556; or</u></p> <p><u>(2) [(C)] a campus that is a member of the New Tech Network and that focuses on project-based learning and work-based education.</u></p> <p><u>(d) The agency shall annually publish a list of career and technology courses that qualify for an allotment under Subsection (a), disaggregated by the weight for which the course qualifies.</u></p>		
SECTION 15. Section 48.106(b), Education Code, is	SECTION 15. Same as House version.	

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (IE)	CONFERENCE
<p>amended by amending Subdivision (1) and adding Subdivision (1-a) to read as follows:</p> <p>(1) "<u>Approved</u> [Career and technology education class and "]career and technology education program"":</p> <p><u>(A) means a sequence of career and technology education courses, including [include] technology applications courses, authorized by the State Board of Education; and</u></p> <p><u>(B) includes only courses that qualify for high school credit.</u></p> <p><u>(1-a) "Approved program of study" means a course sequence that:</u></p> <p><u>(A) provides students with the knowledge and skills necessary for success in the students' chosen careers; and</u></p> <p><u>(B) is approved by the agency for purposes of the Strengthening Career and Technical Education for the 21st Century Act (Pub. L. No. 115-224).</u></p> <p>No equivalent provision.</p>	<p>SECTION __. Subchapter C, Chapter 48, Education Code, is amended by adding Section 48.109 to read as follows:</p> <p><u>Sec. 48.109. GIFTED AND TALENTED STUDENT ALLOTMENT. (a) For each identified student a school district serves in a program for gifted and talented students that the district certifies to the commissioner as complying with Subchapter D, Chapter 29, a district is entitled to an annual allotment equal to the basic allotment multiplied by 0.07 for each school year or a greater amount provided by appropriation.</u></p> <p><u>(b) Funds allocated under this section, other than the amount that represents the program's share of general administrative costs, must be used in providing programs for gifted and talented students under Subchapter D, Chapter 29, including programs sanctioned by International Baccalaureate and</u></p>	

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

Advanced Placement, or in developing programs for gifted and talented students. Each district must account for the expenditure of state funds as provided by rule of the State Board of Education. If by the end of the 12th month after receiving an allotment for developing a program a district has failed to implement a program, the district must refund the amount of the allotment to the agency within 30 days.

(c) Not more than five percent of a district's students in average daily attendance are eligible for funding under this section.

(d) If the amount of state funds for which school districts are eligible under this section exceeds the amount of state funds appropriated in any year for the programs, the commissioner shall reduce each district's tier one allotments in the same manner described for a reduction in allotments under Section 48.266.

(e) If the total amount of funds allotted under this section before a date set by rule of the State Board of Education is less than the total amount appropriated for a school year, the commissioner shall transfer the remainder to any program for which an allotment under Section 48.104 may be used.

(f) After each district has received allotted funds for this program, the State Board of Education may use up to \$500,000 of the funds allocated under this section for programs such as MATHCOUNTS, Future Problem Solving, Odyssey of the Mind, and Academic Decathlon, as long as these funds are used to train personnel and provide program services. To be eligible for funding under this subsection, a program must be determined by the State Board of Education to provide services that are effective and consistent with the state plan for gifted and talented education. [FA26(1)]

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (IE)	CONFERENCE
<p>SECTION 16. Section 48.110(f), Education Code, is amended to read as follows:</p> <p>(f) For purposes of this section, an annual graduate demonstrates:</p> <p>(1) college readiness if the annual graduate:</p> <p>(A) <u>both:</u></p> <p>(i) achieves college readiness standards used for accountability purposes under Chapter 39 on the ACT, the SAT, or an assessment instrument designated by the Texas Higher Education Coordinating Board under Section 51.334; and</p> <p>(ii) [(B)] during a time period established by commissioner rule, enrolls at a postsecondary educational institution; <u>or</u></p> <p>(B) earns an associate degree from a postsecondary educational institution approved by the Texas Higher Education Coordinating Board while attending high school or during a time period established by commissioner rule;</p> <p>(2) career readiness if the annual graduate:</p> <p>(A) achieves college readiness standards used for accountability purposes under Chapter 39 on the ACT, the SAT, or an assessment instrument designated by the Texas Higher Education Coordinating Board under Section 51.334; and</p> <p>(B) during a time period established by commissioner rule, earns an industry-accepted certificate; and</p> <p>(3) military readiness if the annual graduate:</p> <p>(A) achieves a passing score set by the applicable military branch on the Armed Services Vocational Aptitude Battery; and</p> <p>(B) during a time period established by commissioner rule, enlists in the armed forces of the United States.</p>	<p>SECTION 16. Same as House version.</p>	

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

No equivalent provision.

SENATE VERSION (IE)

CONFERENCE

SECTION __. Subchapter C, Chapter 48, Education Code, is amended by adding Section 48.1102 to read as follows:

Sec. 48.1102. ACCELERATED LEARNING AND SUSTAINMENT OUTCOMES BONUS. (a) For purposes of this section, a student is a:

(1) successfully accelerated student if the student:

(A) performs satisfactorily or better on an assessment instrument administered under Section 39.023(a); and

(B) was administered but did not perform satisfactorily on the assessment instrument administered under Section 39.023(a) for the same subject in the student's preceding grade level; and

(2) sustained accelerated student if the student:

(A) performs at the level determined under Section 39.0241(a-1) or the equivalent to determine preparedness for the student's next grade level or better on an assessment instrument administered under Section 39.023(a);

(B) performs satisfactorily or better on the assessment instrument administered under Section 39.023(a) for the same subject in the student's preceding grade level; and

(C) was administered but did not perform satisfactorily on the assessment instrument administered under Section 39.023(a) for the grade level and subject preceding the assessment described by Paragraph (B).

(b) For each successfully accelerated student in excess of the minimum number of students determined for the district or school under Subsection (d), a school district or open-enrollment charter school is entitled to the following annual outcomes bonus:

(1) \$500 for each student who is not educationally disadvantaged; and

(2) \$1,000 for each student who is educationally disadvantaged.

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

(c) For each sustained accelerated student, a school district or open-enrollment charter school is entitled to the following annual outcomes bonus:
(1) \$250 for each student who is not educationally disadvantaged; and
(2) \$500 for each student who is educationally disadvantaged.
(d) The commissioner shall establish, using a percentile determined by the commissioner based on the median performance of school districts and open-enrollment charter schools on assessments administered under Section 39.023(a) during the 2017-2018 school year, a threshold percentage of:
(1) successfully accelerated students who are not educationally disadvantaged; and
(2) successfully accelerated students who are educationally disadvantaged.
(e) Each year, the commissioner shall determine for each school district and open-enrollment charter school the minimum number of successfully accelerated students the district or school must have in order for the district to achieve the percentage equal to the threshold percentage established for that group of students described by Subsection (b).
(f) The commissioner may modify the threshold percentages established under Subsection (d) once every five years if the commissioner determines that substantial improvement in the median performance of school districts and open-enrollment charter schools has occurred. [FA16]

SECTION 17. Section 48.111, Education Code, is amended to read as follows:
Sec. 48.111. FAST GROWTH ALLOTMENT. (a) Except as provided by Subsection (b), a [A] school district [in which the

SECTION 17. Section 48.111, Education Code, is amended to read as follows:
Sec. 48.111. FAST GROWTH ALLOTMENT. (a) Except as provided by Subsection (c), a [A] school district [in which the

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

~~growth in student enrollment in the district over the preceding three school years is in the top quartile of student enrollment growth in school districts in the state for that period, as determined by the commissioner,~~ is entitled to an annual allotment equal to the basic allotment multiplied by 0.35 [0.04] for each enrolled student equal to

the difference, if the difference is greater than zero, that results from subtracting 250 from the difference between the number of students enrolled in the district during the school year immediately preceding the current school year and the number of students enrolled in the district during the school year six years preceding the current school year [~~in average daily attendance~~].

(a-1) For purposes of Subsection (a), in determining the number of students enrolled in a school district, the commissioner shall exclude students enrolled in the district who receive full-time instruction through the state virtual school network under Chapter 30A.

No equivalent provision.

SENATE VERSION (IE)

~~growth in student enrollment in the district over the preceding three school years is in the top quartile of student enrollment growth in school districts in the state for that period, as determined by the commissioner,~~ is entitled to an annual allotment equal to the basic allotment multiplied by the applicable weight under Subsection (a-1) [0.04] for each enrolled student equal to the greater of: [FA2(1);FA6(1)]

(1) the difference, if the difference is greater than zero, that results from subtracting 250 from the difference between the number of students enrolled in the district during the school year immediately preceding the current school year and the number of students enrolled in the district during the school year six years preceding the current school year; or

(2) the average annual growth in student enrollment in the district for the preceding three school years, if the growth in student enrollment in the district for the preceding three school years is in the top quartile of student enrollment growth in school districts in the state for that period, as determined by the commissioner [~~in average daily attendance~~]. [FA6(1)]

(b) For purposes of Subsection (a), in determining the number of students enrolled in a school district, the commissioner shall exclude students enrolled in the district who receive full-time instruction through the state virtual school network under Chapter 30A.

(a-1) For purposes of Subsection (a), the agency shall assign the following weights:

(1) 0.48 for each student enrolled at a district in the top third of districts, as determined based on the number of students calculated under Subsection (a);

CONFERENCE

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

(a-2) Notwithstanding Subsection (a), instead of using the weight of "0.35" in Subsection (a), the agency shall substitute the following weights:
(1) for the 2021-2022 school year, "0.30"; and
(2) for the 2022-2023 school year, "0.348".

(a-3) Subsection (a-2) and this subsection expire September 1, 2024.

(b) Notwithstanding Subsection (a), the total amount that may be used to provide allotments under Subsection (a) may not exceed \$320 million. If the total amount of allotments to which districts are entitled under Subsection (a) for a school year exceeds the amount permitted under this subsection, the commissioner shall reduce each district's allotment under this section in the manner provided by Section 48.266(f).
(b-1) Notwithstanding Subsection (b), the total amount that may be used to provide allotments under Subsection (a) may

SENATE VERSION (IE)

(2) 0.33 for each student enrolled at a district in the middle third of districts, as determined based on the number of students calculated under Subsection (a); and
(3) 0.18 for each student enrolled at a district in the bottom third of districts, as determined based on the number of students calculated under Subsection (a).

(a-2) Notwithstanding Subsection (a-1), instead of using the weights under that subsection, the agency shall substitute the following weights:
(1) 0.45 for each student enrolled at a district in the top third of districts, as determined based on the number of students calculated under Subsection (a);
(2) 0.30 for each student enrolled at a district in the middle third of districts, as determined based on the number of students calculated under Subsection (a); and
(3) 0.15 for each student enrolled at a district in the bottom third of districts, as determined based on the number of students calculated under Subsection (a). [FA2(2)]

(a-3) Subsection (a-2) and this subsection expire September 1, 2024. [FA2(3)]

(c) Notwithstanding Subsection (a), the total amount that may be used to provide allotments under Subsection (a) may not exceed \$320 million. If the total amount of allotments to which districts are entitled under Subsection (a) for a school year exceeds the amount permitted under this subsection, the commissioner shall proportionately reduce each district's allotment under this section. [FA2(4)]
(c-1) Notwithstanding Subsection (c), the total amount that may be used to provide allotments under Subsection (a) may

CONFERENCE

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

not exceed:
(1) for the 2021-2022 school year, \$270 million;
(2) for the 2022-2023 school year, \$310 million; and
(3) for the 2023-2024 school year, \$315 million.
(b-2) Subsection (b-1) and this subsection expire September 1, 2025.
(c) For the 2021-2022 school year, the agency shall provide to each school district that received an allotment under this section for the 2019-2020 school year but is not entitled to an allotment for the 2021-2022 school year an amount equal to the amount of the allotment provided to the district under this section for the 2019-2020 school year.

(c-1) The total amount that may be used to provide funding under Subsection (c) may not exceed \$40 million. If the total amount of funding to which districts are entitled under Subsection (c) for a school year exceeds the amount permitted under this subsection, the commissioner shall reduce each district's amount under Subsection (c) in the manner provided by Section 48.266(f).

(c-2) The amounts to which school districts are entitled under Subsection (c) are not subject to the amount limitations described by Subsections (b) and (b-1).
(c-3) Subsections (c), (c-1), (c-2), and this subsection expire September 1, 2023.

SECTION 18. Section 48.112, Education Code, is amended by adding Subsection (j) to read as follows:
(j) The Texas School for the Deaf and the Texas School for

SENATE VERSION (IE)

not exceed:
(1) for the 2021-2022 school year, \$270 million;
(2) for the 2022-2023 school year, \$310 million; and
(3) for the 2023-2024 school year, \$315 million.
(c-2) Subsection (c-1) and this subsection expire September 1, 2025.
(d) Subject to the limitation under Subsection (d-1), for the 2021-2022 school year, the agency shall provide to each school district that is entitled to an allotment under this section that is less than the amount of the allotment to which the district was entitled for the 2019-2020 or 2020-2021 school year, whichever was greater, an allotment amount equal to the difference between the greater amount for the 2019-2020 or 2020-2021 school year and the amount to which the district is entitled for the 2021-2022 school year. [FA6(2)]
(d-1) The total amount that may be used to provide funding under Subsection (d) may not exceed \$40 million. If the total amount of funding to which districts are entitled under Subsection (d) for a school year exceeds the amount permitted under this subsection, the commissioner shall proportionately reduce each district's amount under Subsection (d). [FA2(5)]

(d-2) The amounts to which school districts are entitled under Subsection (d) are not subject to the amount limitations described by Subsections (c) and (c-1).
(d-3) Subsections (d), (d-1), (d-2), and this subsection expire September 1, 2023.

SECTION 18. Same as House version.

CONFERENCE

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

the Blind and Visually Impaired are entitled to an allotment under this section. If the commissioner determines that assigning point values under Subsections (e) and (f) to students enrolled in the Texas School for the Deaf or the Texas School for the Blind and Visually Impaired is impractical, the commissioner may use the average point value assigned for those students' home districts for purposes of calculating the high needs and rural factor.

SECTION 19. Section 42.168, Education Code, as added by Chapter 464 (S.B. 11), Acts of the 86th Legislature, Regular Session, 2019, is transferred to Subchapter C, Chapter 48, Education Code, redesignated as Section 48.115, Education Code, and amended to read as follows:
Sec. ~~48.115~~ [42.168]. SCHOOL SAFETY ALLOTMENT.
(a) From funds appropriated for that purpose, the commissioner shall provide to a school district an annual allotment in the amount provided by appropriation for each student in average daily attendance.
(b) Funds allocated under this section must be used to improve school safety and security, including costs associated with:
(1) securing school facilities, including:
(A) improvements to school infrastructure;
(B) the use or installation of physical barriers; and
(C) the purchase and maintenance of:
(i) security cameras or other security equipment; and
(ii) technology, including communications systems or devices, that facilitates communication and information sharing between students, school personnel, and first responders in an emergency;

SECTION 19. Section 42.168, Education Code, as added by Chapter 464 (S.B. 11), Acts of the 86th Legislature, Regular Session, 2019, is transferred to Subchapter C, Chapter 48, Education Code, redesignated as Section 48.115, Education Code, and amended to read as follows:
Sec. ~~48.115~~ [42.168]. SCHOOL SAFETY ALLOTMENT.
(a) From funds appropriated for that purpose, the commissioner shall provide to a school district an annual allotment in the amount provided by appropriation for each student in average daily attendance.
(b) Funds allocated under this section must be used to improve school safety and security, including costs associated with:
(1) securing school facilities, including:
(A) improvements to school infrastructure;
(B) the use or installation of physical barriers; and
(C) the purchase and maintenance of:
(i) security cameras or other security equipment; and
(ii) technology, including communications systems or devices, that facilitates communication and information sharing between students, school personnel, and first responders in an emergency;

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (IE)	CONFERENCE
<p>(2) providing security for the district, including:</p> <p>(A) employing school district peace officers, private security officers, and school marshals; and</p> <p>(B) collaborating with local law enforcement agencies, such as entering into a memorandum of understanding for the assignment of school resource officers to schools in the district;</p> <p>(3) school safety and security training and planning, including:</p> <p>(A) active shooter and emergency response training;</p> <p>(B) prevention and treatment programs relating to addressing adverse childhood experiences; and</p> <p>(C) the prevention, identification, and management of emergencies and threats, including:</p> <p>(i) providing mental health personnel and support;</p> <p>(ii) providing behavioral health services; and</p> <p>(iii) establishing threat reporting systems; and</p> <p>(4) providing programs related to suicide prevention, intervention, and postvention.</p> <p>(c) A school district may use funds allocated under this section for equipment or software that is used for a school safety and security purpose and an instructional purpose, provided that the instructional use does not compromise the safety and security purpose of the equipment or software.</p>	<p>(2) providing security for the district, including:</p> <p>(A) employing school district peace officers, private security officers, and school marshals; and</p> <p>(B) collaborating with local law enforcement agencies, such as entering into a memorandum of understanding for the assignment of school resource officers to schools in the district;</p> <p>(3) school safety and security training and planning, including:</p> <p>(A) active shooter and emergency response training;</p> <p>(B) prevention and treatment programs relating to addressing adverse childhood experiences; and</p> <p>(C) the prevention, identification, and management of emergencies and threats, <u>using evidence-based, effective prevention practices and</u> including:</p> <p>(i) <u>providing licensed counselors, social workers, and individuals trained in restorative discipline and restorative justice practices;</u></p> <p>(ii) <u>providing</u> mental health personnel and support;</p> <p>(iii) (ii) providing behavioral health services; and</p> <p>(iv) (iii) establishing threat reporting systems; and</p> <p><u>(v) developing and implementing programs focused on restorative justice practices, culturally relevant instruction, and providing mental health support; and</u> [FA23(1)]</p> <p>(4) providing programs related to suicide prevention, intervention, and postvention.</p> <p>(c) A school district may use funds allocated under this section for equipment or software that is used for a school safety and security purpose and an instructional purpose, provided that the instructional use does not compromise the safety and security purpose of the equipment or software.</p> <p><u>(d) The commissioner shall annually publish a report</u></p>	

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

~~[(d) A school district that is required to take action under Chapter 41 to reduce its wealth per student to the equalized wealth level is entitled to a credit, in the amount of the allotments to which the district is to receive as provided by appropriation, against the total amount required under Section 41.093 for the district to purchase attendance credits.~~

~~[(e) The commissioner may adopt rules to implement this section.]~~

No equivalent provision.

SECTION 20. Section 48.2551, Education Code, is amended

SENATE VERSION (IE)

regarding funds allocated under this section including the programs, personnel, and resources purchased by districts using funds under this section and other purposes for which the funds were used ~~[A school district that is required to take action under Chapter 41 to reduce its wealth per student to the equalized wealth level is entitled to a credit, in the amount of the allotments to which the district is to receive as provided by appropriation, against the total amount required under Section 41.093 for the district to purchase attendance credits].~~ [FA23(2)]

~~[(e) The commissioner may adopt rules to implement this section.]~~

SECTION __. Section 48.252(a), Education Code, is amended to read as follows:

(a) This section applies only to:

(1) a school district and an open-enrollment charter school that enter into a contract to operate a district campus as provided by Section 11.174;

(2) a charter granted by a school district for a program operated by an entity that has entered into a contract under Section 11.174, provided that the district does not appoint a majority of the governing body of the charter holder; ~~[and]~~

(3) a school district that contracts with an open-enrollment charter school to jointly operate a campus or campus program as provided by Section 11.157(b); and

(4) a school district that operates a resource campus as provided by Section 29.934. [FA17]

SECTION 20. Same as House version.

CONFERENCE

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (IE)	CONFERENCE
<p>by amending Subsections (a) and (c) and adding Subsections (d-1) and (d-2) to read as follows:</p> <p>(a) In this section:</p> <p>(1) "DPV" <u>is the taxable value of property in the school district, as determined by the agency by rule, using locally determined property values adjusted in accordance with Section 403.302(d), Government Code</u> [has the meaning assigned by Section 48.256];</p> <p>(2) "E" is the expiration of the exclusion of appraised property value for the preceding tax year that is recognized as taxable property value for the current tax year, which is the sum of the following:</p> <p>(A) property value that is no longer subject to a limitation on appraised value under Chapter 313, Tax Code; and</p> <p>(B) property value under Section 311.013(n), Tax Code, that is no longer excluded from the calculation of "DPV" from the preceding year because of refinancing or renewal after September 1, 2019;</p> <p>(3) "MCR" is the district's maximum compressed rate, which is the tax rate for the current tax year per \$100 of valuation of taxable property at which the district must levy a maintenance and operations tax to receive the full amount of the tier one allotment to which the district is entitled under this chapter;</p> <p>(4) "PYDPV" is the district's value of "DPV" for the preceding tax year; and</p> <p>(5) "PYMCR" is the district's value of "MCR" for the preceding tax year.</p> <p>(c) Notwithstanding Subsection (b), for a district to which Section 48.2552(b) applies, the district's maximum compressed rate is the value calculated <u>in accordance with Section 48.2552(b)</u> [for "MCR" under Subsection (b)(1)(B)].</p> <p><u>(d-1) Local appraisal districts, school districts, and the</u></p>		

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

comptroller shall provide any information necessary to the agency to implement this section.

(d-2) A school district may appeal to the commissioner the district's taxable property value as determined by the agency under this section. A decision by the commissioner is final and may not be appealed.

SECTION 21. Section 48.2552(b), Education Code, is amended to read as follows:

(b) If a school ~~district's [district has a]~~ maximum compressed rate as calculated under Section 48.2551(b) would be [that is] less than 90 percent of another school district's maximum compressed rate, the district's maximum compressed rate is the value at which the district's maximum compressed rate would be equal to 90 percent of the other district's maximum compressed rate [ealeulated under Section 48.2551(e) until the agency determines that the difference between the district's and another district's maximum compressed rates is not more than 10 percent].

SECTION 21. Same as House version.

SECTION 22. Section 48.257(c), Education Code, is amended to read as follows:

(c) For purposes of Subsection (a), state aid to which a district is entitled under this chapter that is not described by Section 48.266(a)(3) ~~[48.266(a)(1), (2), or (3)]~~ may offset the amount by which a district must reduce the district's ~~[tier one]~~ revenue level under this section [Subsection (a)]. Any amount of state aid used as an offset under this subsection shall reduce the amount of state aid to which the district is entitled.

SECTION 22. Same as House version.

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 23. Subchapter F, Chapter 48, Education Code, is amended by adding Section 48.2721 to read as follows:
Sec. 48.2721. RECOVERY OF FUNDS FROM EXCESSIVE TAXATION. The commissioner shall reduce state aid or adjust the limit on local revenue under Section 48.257 in an amount equal to the amount of revenue generated by a school district's tax effort that is not in compliance with Section 45.003 or this chapter.

No equivalent provision.

SENATE VERSION (IE)

SECTION 23. Same as House version.

CONFERENCE

SECTION 24. Section 48.277, Education Code, is amended by amending Subsection (b) and adding Subsection (c-1) to read as follows: [FA8(1)]
(b) For purposes of calculating maintenance and operations revenue under Subsection (a), the commissioner shall:
(1) for purposes of Subsections (a)(1) and (2), use the following applicable school year:
(A) in a school year ending in an even-numbered year, the 2019-2020 school year; and
(B) in a school year ending in an odd-numbered year, the 2019-2020 or 2020-2021 school year, whichever is greater;
(2) include all state and local funding, except for any funding resulting from:
(A) reimbursement for disaster remediation costs under former Sections 41.0931 and 42.2524;
(B) an adjustment for rapid decline in taxable value of property under former Section 42.2521; and
(C) an adjustment for property value affected by a state of disaster under former Section 42.2523;
(3) adjust the calculation to reflect a reduction in tax effort by a school district;
(4) adjust the calculation to include the portion of delinquent

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

taxes owed by a taxpayer that were scheduled to be paid under an installment agreement during the 2019-2020 or 2020-2021 school year but that will be paid during a later school year than the school year in which they were originally due, if the taxpayer subject to the installment agreement owns properties in a school district that, in total, account for more than 7.5 percent of the district's total taxable property value; and
(5) [(4)] if a school district or open-enrollment charter school receives a waiver relating to eligibility requirements for the national free or reduced-price lunch program under 42 U.S.C. Section 1751 et seq., use the numbers of educationally disadvantaged students on which the district's or school's entitlement to compensatory education funds was based for the school year before the school year in which the district or school received the waiver, adjusted for estimated enrollment growth. [FA8(2)]
(c-1) Notwithstanding any other provision of this chapter, beginning with the 2021-2022 school year, if the total amount of allotments to which school districts and open-enrollment charter schools are entitled under this section for a school year exceeds \$400 million, the commissioner shall proportionately reduce each district's or charter school's allotment under this section. The reduction in the amount to which a district or school is entitled under this section may not result in an amount that is less than zero. [FA2(6)]

No equivalent provision.

SECTION 24. Subchapter F, Chapter 48, Education Code, is amended by adding Section 48.280 to read as follows:
Sec. 48.280. ADJUSTMENT FOR CERTAIN DISTRICTS FOR TEACHER INCENTIVE ALLOTMENT FUNDING.
(a) If Section 48.257(b) applies to a school district and the

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

adjustment provided under that subsection for the reduction of the district's tier one revenue level is less than the amount to which the district is entitled under Section 48.112, the commissioner shall make adjustments to the district's funding to ensure that the district receives the total amount to which the district is entitled under Section 48.112.
(b) An adjustment to a district's funding under this section is excluded for purposes of calculating the district's maintenance and operations revenue under Section 48.277. This subsection expires September 1, 2025.

No equivalent provision.

SECTION 25. Subchapter F, Chapter 48, Education Code, is amended by adding Section 48.281 to read as follows:
[FA1(1)]
Sec. 48.281. MAINTENANCE OF EFFORT AND EQUITY FOR FEDERAL MONEY RELATED TO COVID-19 PANDEMIC. (a) Subject to Subsection (b), the commissioner shall increase a school district's or open-enrollment charter school's entitlement under this chapter as necessary to ensure compliance with requirements regarding maintenance of effort and maintenance of equity under Section 317, Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (Div. M, Pub. L. No. 116-260, reprinted in note, 20 U.S.C. Section 3401), and Section 2001, American Rescue Plan Act of 2021 (Pub. L. No. 117-2, reprinted in note, 20 U.S.C. Section 3401). [FA2(7)]
(b) Before making an increase under Subsection (a), the commissioner shall notify the Legislative Budget Board and the governor of the proposed increase. The adjustment is considered to be approved unless the Legislative Budget Board or the governor issues a written disapproval of the

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (IE)	CONFERENCE
	<p><u>increase not later than the 30th day after the date on which the commissioner provides notice under this subsection.</u> [FA2(8A)]</p> <p><u>(c) If the total amount of money available to the commissioner for purposes of making increases under this section for a state fiscal year is insufficient to make an increase the commissioner determines necessary under Subsection (a), the commissioner shall submit to the legislature an estimate of the amount of funding needed to make the increase for that state fiscal year.</u> [FA2(8B); FA2(9)]</p> <p><u>(d) This section expires September 1, 2025.</u></p> <p><u>Sec. 48.282.</u> [FA2(10)-(14), FA3; Deleted by FA1(2)]</p>	
<p>SECTION 25. Section 48.302(b), Education Code, is amended to read as follows:</p> <p>(b) The agency shall enter into a memorandum of understanding with the commission for the agency to transfer <u>funds</u> to the commission [funds specifically appropriated to the agency] for the commission to provide to an individual who is 21 years of age or older a subsidy in an amount equal to the cost of taking one high school equivalency examination administered under Section 7.111.</p>	<p>SECTION 26. Same as House version.</p>	
<p>SECTION 26. Subchapter G, Chapter 48, Education Code, is amended by adding Section 48.303 to read as follows:</p> <p><u>Sec. 48.303. ADDITIONAL STATE AID FOR REGIONAL EDUCATION SERVICE CENTER STAFF SALARY INCREASES.</u> (a) A regional education service center is <u>entitled to state aid in an amount equal to the sum of:</u></p>	<p>SECTION 27. Same as House version.</p>	

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (IE)	CONFERENCE
<p>(1) <u>the product of \$500 multiplied by the number of full-time center employees, other than administrators or classroom teachers, full-time librarians, full-time school counselors certified under Subchapter B, Chapter 21, or full-time school nurses; and</u></p> <p>(2) <u>the product of \$250 multiplied by the number of part-time center employees, other than administrators or teachers, librarians, school counselors certified under Subchapter B, Chapter 21, or school nurses.</u></p> <p><u>(b) A determination by the commissioner under Subsection (a) is final and may not be appealed.</u></p>		
<p>SECTION 27. Subchapter A, Chapter 49, Education Code, is amended by adding Section 49.0041 to read as follows: <u>Sec. 49.0041. LOCAL REVENUE LEVEL IN EXCESS OF ENTITLEMENT AFTER REVIEW NOTIFICATION. If the commissioner determines that a school district has a local revenue level in excess of entitlement after the date the commissioner sends notification for the school year under Section 49.004(a), the commissioner shall include the amount of the district's local revenue level that exceeded the level established under Section 48.257 for that school year in the annual review for the following school year of the district's local revenue levels under Section 49.004(a).</u></p>	<p>SECTION 28. Same as House version.</p>	
<p>SECTION 28. Section 49.054(b), Education Code, is amended to read as follows: (b) <u>A consolidated [Except as provided by Subsection (c), a] district under this subchapter [receiving incentive aid payments under this section] is [not] entitled to incentive aid</u></p>	<p>SECTION 29. Same as House version.</p>	

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (IE)	CONFERENCE
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under Subchapter G, Chapter 13.

SECTION 29. Section 822.201(b), Government Code, is amended to read as follows:

(b) "Salary and wages" as used in Subsection (a) means:

(1) normal periodic payments of money for service the right to which accrues on a regular basis in proportion to the service performed;

(2) amounts by which the member's salary is reduced under a salary reduction agreement authorized by Chapter 610;

(3) amounts that would otherwise qualify as salary and wages under Subdivision (1) but are not received directly by the member pursuant to a good faith, voluntary written salary reduction agreement in order to finance payments to a deferred compensation or tax sheltered annuity program specifically authorized by state law or to finance benefit options under a cafeteria plan qualifying under Section 125 of the Internal Revenue Code of 1986, if:

(A) the program or benefit options are made available to all employees of the employer; and

(B) the benefit options in the cafeteria plan are limited to one or more options that provide deferred compensation, group health and disability insurance, group term life insurance, dependent care assistance programs, or group legal services plans;

(4) performance pay awarded to an employee by a school district as part of a total compensation plan approved by the board of trustees of the district and meeting the requirements of Subsection (e);

(5) the benefit replacement pay a person earns under Subchapter H, Chapter 659, except as provided by Subsection

SECTION 30. Same as House version.

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (IE)	CONFERENCE
<p>(c);</p> <p>(6) stipends paid to teachers in accordance with former Section 21.410, 21.411, 21.412, or 21.413, Education Code;</p> <p>(7) amounts by which the member's salary is reduced or that are deducted from the member's salary as authorized by Subchapter J, Chapter 659;</p> <p>(8) a merit salary increase made under Section 51.962, Education Code;</p> <p>(9) amounts received under the relevant parts of the educator excellence awards program under Subchapter O, Chapter 21, Education Code, or a mentoring program under Section 21.458, Education Code, that authorize compensation for service;</p> <p>(10) salary amounts designated as health care supplementation by an employee under Subchapter D, Chapter 22, Education Code; and</p> <p>(11) to the extent required by Sections 3401(h) and 414(u)(12), Internal Revenue Code of 1986, differential wage payments received by an individual from an employer on or after January 1, 2009, while the individual is performing qualified military service as defined by Section 414(u), Internal Revenue Code of 1986; <u>and</u></p> <p><u>(12) increased compensation paid to a teacher by a school district using funds received by the district under the teacher incentive allotment under Section 48.112, Education Code.</u></p>		
<p>SECTION 30. Section 11.26, Tax Code, is amended by adding Subsections (a-4), (a-5), (a-6), (a-7), (a-8), and (a-9) to read as follows:</p> <p><u>(a-4) In this section, "maximum compressed rate" means the maximum compressed rate of a school district as calculated</u></p>	<p>No equivalent provision.</p>	

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

under Section 48.2551, Education Code.

(a-5) Notwithstanding the other provisions of this section, if in the 2022 tax year an individual qualifies for a limitation on tax increases provided by this section on the individual's residence homestead and the first tax year the individual or the individual's spouse qualified for an exemption under Section 11.13(c) for the same homestead was a tax year before the 2019 tax year, the amount of the limitation provided by this section on the homestead in the 2022 tax year is equal to the amount computed by:

(1) multiplying the taxable value of the homestead in the 2018 tax year by a tax rate equal to the difference between the school district's tier one maintenance and operations rate for the 2018 tax year and the district's maximum compressed rate for the 2019 tax year;

(2) subtracting the greater of zero or the amount computed under Subdivision (1) from the amount of tax the district imposed on the homestead in the 2018 tax year;

(3) adding any tax imposed in the 2019 tax year attributable to improvements made in the 2018 tax year as provided by Subsection (b) to the amount computed under Subdivision (2);

(4) multiplying the taxable value of the homestead in the 2019 tax year by a tax rate equal to the difference between the district's maximum compressed rate for the 2019 tax year and the district's maximum compressed rate for the 2020 tax year;

(5) subtracting the amount computed under Subdivision (4) from the amount computed under Subdivision (3);

(6) adding any tax imposed in the 2020 tax year attributable to improvements made in the 2019 tax year as provided by Subsection (b) to the amount computed under Subdivision (5);

(7) multiplying the taxable value of the homestead in the 2020 tax year by a tax rate equal to the difference between the

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

district's maximum compressed rate for the 2020 tax year and the district's maximum compressed rate for the 2021 tax year;
(8) subtracting the amount computed under Subdivision (7) from the amount computed under Subdivision (6);
(9) adding any tax imposed in the 2021 tax year attributable to improvements made in the 2020 tax year as provided by Subsection (b) to the amount computed under Subdivision (8);
(10) multiplying the taxable value of the homestead in the 2021 tax year by a tax rate equal to the difference between the district's maximum compressed rate for the 2021 tax year and the district's maximum compressed rate for the 2022 tax year;
(11) subtracting the amount computed under Subdivision (10) from the amount computed under Subdivision (9); and
(12) adding any tax imposed in the 2022 tax year attributable to improvements made in the 2021 tax year as provided by Subsection (b) to the amount computed under Subdivision (11).
(a-6) Notwithstanding the other provisions of this section, if in the 2022 tax year an individual qualifies for a limitation on tax increases provided by this section on the individual's residence homestead and the first tax year the individual or the individual's spouse qualified for an exemption under Section 11.13(c) for the same homestead was the 2019 tax year, the amount of the limitation provided by this section on the homestead in the 2022 tax year is equal to the amount computed by:
(1) multiplying the taxable value of the homestead in the 2019 tax year by a tax rate equal to the difference between the school district's maximum compressed rate for the 2019 tax year and the district's maximum compressed rate for the 2020 tax year;
(2) subtracting the amount computed under Subdivision (1)

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

from the amount of tax the district imposed on the homestead in the 2019 tax year;
(3) adding any tax imposed in the 2020 tax year attributable to improvements made in the 2019 tax year as provided by Subsection (b) to the amount computed under Subdivision (2);
(4) multiplying the taxable value of the homestead in the 2020 tax year by a tax rate equal to the difference between the district's maximum compressed rate for the 2020 tax year and the district's maximum compressed rate for the 2021 tax year;
(5) subtracting the amount computed under Subdivision (4) from the amount computed under Subdivision (3);
(6) adding any tax imposed in the 2021 tax year attributable to improvements made in the 2020 tax year as provided by Subsection (b) to the amount computed under Subdivision (5);
(7) multiplying the taxable value of the homestead in the 2021 tax year by a tax rate equal to the difference between the district's maximum compressed rate for the 2021 tax year and the district's maximum compressed rate for the 2022 tax year;
(8) subtracting the amount computed under Subdivision (7) from the amount computed under Subdivision (6); and
(9) adding any tax imposed in the 2022 tax year attributable to improvements made in the 2021 tax year as provided by Subsection (b) to the amount computed under Subdivision (8).
(a-7) Notwithstanding the other provisions of this section, if in the 2022 tax year an individual qualifies for a limitation on tax increases provided by this section on the individual's residence homestead and the first tax year the individual or the individual's spouse qualified for an exemption under Section 11.13(c) for the same homestead was the 2020 tax year, the amount of the limitation provided by this section on the homestead in the 2022 tax year is equal to the amount computed by:

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

(1) multiplying the taxable value of the homestead in the 2020 tax year by a tax rate equal to the difference between the school district's maximum compressed rate for the 2020 tax year and the district's maximum compressed rate for the 2021 tax year;
(2) subtracting the amount computed under Subdivision (1) from the amount of tax the district imposed on the homestead in the 2020 tax year;
(3) adding any tax imposed in the 2021 tax year attributable to improvements made in the 2020 tax year as provided by Subsection (b) to the amount computed under Subdivision (2);
(4) multiplying the taxable value of the homestead in the 2021 tax year by a tax rate equal to the difference between the district's maximum compressed rate for the 2021 tax year and the district's maximum compressed rate for the 2022 tax year;
(5) subtracting the amount computed under Subdivision (4) from the amount computed under Subdivision (3); and
(6) adding any tax imposed in the 2022 tax year attributable to improvements made in the 2021 tax year as provided by Subsection (b) to the amount computed under Subdivision (5).
(a-8) Notwithstanding the other provisions of this section, if in the 2022 tax year an individual qualifies for a limitation on tax increases provided by this section on the individual's residence homestead and the first tax year the individual or the individual's spouse qualified for an exemption under Section 11.13(c) for the same homestead was the 2021 tax year, the amount of the limitation provided by this section on the homestead in the 2022 tax year is equal to the amount computed by:
(1) multiplying the taxable value of the homestead in the 2021 tax year by a tax rate equal to the difference between the school district's maximum compressed rate for the 2021 tax

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

year and the district's maximum compressed rate for the 2022 tax year;
(2) subtracting the amount computed under Subdivision (1) from the amount of tax the district imposed on the homestead in the 2021 tax year; and
(3) adding any tax imposed in the 2022 tax year attributable to improvements made in the 2021 tax year as provided by Subsection (b) to the amount computed under Subdivision (2).
(a-9) Notwithstanding the other provisions of this section, if in the 2023 or a subsequent tax year an individual qualifies for a limitation on tax increases provided by this section on the individual's residence homestead, the amount of the limitation provided by this section on the homestead is equal to the amount computed by:
(1) multiplying the taxable value of the homestead in the preceding tax year by a tax rate equal to the difference between the school district's maximum compressed rate for the preceding tax year and the district's maximum compressed rate for the current tax year;
(2) subtracting the amount computed under Subdivision (1) from the amount of tax the district imposed on the homestead in the preceding tax year; and
(3) adding any tax imposed in the current tax year attributable to improvements made in the preceding tax year as provided by Subsection (b) to the amount computed under Subdivision (2).

No equivalent provision.

SECTION __. Subchapter Z, Chapter 29, Education Code, is amended by adding Sections 29.929, 29.930, 29.931, 29.932, and 29.933 to read as follows:
Sec. 29.929. PROGRAMS TO ENSURE ONE-TIME

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

INTENSIVE EDUCATIONAL SUPPORTS FOR OVERCOMING COVID-19 PANDEMIC IMPACT. (a) From state discretionary funds under Section 313(e), Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (Div. M, Pub. L. No. 116-260, reprinted in note, 20 U.S.C. Section 3401) and Section 2001(f), American Rescue Plan Act of 2021 (Pub. L. No. 117-2, reprinted in note, 20 U.S.C. Section 3401) and other funds appropriated, the agency shall establish programs that assist school districts and open-enrollment charter schools in implementing intensive supports to ensure students perform at grade level and graduate demonstrating college, career, or military readiness. Programs established under this section must include:

(1) expanding learning options for:

(A) Pathways in Technology Early College High School (P-TECH) programs in participating school districts under Subchapter N, Chapter 29;

(B) the Texas Regional Pathways Network; and

(C) the Jobs and Education for Texans (JET) Grant Program under Chapter 134;

(2) supplemental instructional supports, including tutoring; and

(3) COVID-19 learning acceleration supports, including:

(A) innovation in curriculum and instruction;

(B) diagnosing student mastery;

(C) extended instructional time; and

(D) supports for teachers.

(b) The agency may take actions as necessary in implementing intensive supports under Subsection (a), including providing grants to school districts, open-enrollment charter schools, and regional education service centers.

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

Sec. 29.930. USE OF ONE-TIME FEDERAL DISCRETIONARY COVID-19 FUNDING TO ENSURE GRADE LEVEL SUPPORT AND REIMBURSEMENTS.
(a) To ensure additional resources to pay for unreimbursed costs due to the coronavirus disease (COVID-19) pandemic and for intensive educational supports for students not performing satisfactorily, for each of the 2021-2022 and 2022-2023 school years, except as provided by Subsection (c), from state discretionary funds under Section 2001(f), American Rescue Plan Act of 2021 (Pub. L. No. 117-2, reprinted in note, 20 U.S.C. Section 3401), the agency shall provide to each school district and open-enrollment charter school an allotment in an amount equal to the sum of:
(1) \$208.35 for each student enrolled in the district or charter school; and
(2) \$1,290 for each student enrolled in the district or charter school during the 2020-2021 school year multiplied by the percentage of students at the district or charter school who are not performing satisfactorily, as determined under Subsection (b).
(b) For purposes of Subsection (a)(2), the agency shall determine the percentage of students not performing satisfactorily by:
(1) dividing the number of students who did not perform satisfactorily on an assessment instrument administered under Section 39.023 by the total number of students who were administered assessment instruments under Section 39.023 during the 2018-2019 school year; and
(2) increasing the resulting number under Subdivision (1) by:
(A) for the 2021-2022 school year, 40 percent; and
(B) for the 2022-2023 school year, 20 percent.
(c) The agency shall reduce the amount of the allotment that a

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

school district or open-enrollment charter school receives under Subsection (a) by the amount that the district or charter school receives from the local educational agency subgrants under Section 313(c), Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (Div. M, Pub. L. No. 116-260, reprinted in note, 20 U.S.C. Section 3401) and Section 2001(d), American Rescue Plan Act of 2021 (Pub. L. No. 117-2, reprinted in note, 20 U.S.C. Section 3401).

(d) If the allotment provided to a school district or open-enrollment charter school under Subsection (a) is reduced in accordance with Subsection (c), the agency shall provide the total allotment amount to which the district or charter school is entitled for the 2021-2022 and 2022-2023 school years to the district or charter school in an equal amount each year.

(e) An allotment provided to a school district or open-enrollment charter school under this section may not reduce funding to which the district or charter school is otherwise entitled.

(f) The agency may not provide allotments to school districts and open-enrollment charter schools under this section after the 2022-2023 school year.

(g) This section expires September 1, 2024.

Sec. 29.931. BROADBAND TECHNICAL SUPPORT FOR STUDENTS. From appropriated state funds or other funds, including federal funds, available for this section, the agency shall provide technical assistance to school districts and open-enrollment charter schools to ensure Internet access for students who have limited or no access to the Internet.

Sec. 29.932. ONE-TIME TECHNOLOGY REIMBURSEMENT. (a) Using state discretionary funds under Section 18003(e), Coronavirus Aid, Relief, and Economic Security Act (Title VIII, Div. B, Pub. L. No. 116-

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

136, reprinted in note, 20 U.S.C. Section 3401), and Section 313(c), Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (Div. M, Pub. L. No. 116-260, reprinted in note, 20 U.S.C. Section 3401), the agency shall provide reimbursement for technology acquisitions made by school districts and open-enrollment charter schools before February 28, 2021.

(b) This section expires September 1, 2023.

Sec. 29.933. LEGISLATIVE OVERSIGHT ON COVID-19 STATE RESPONSE. (a) At least quarterly, the agency shall update the entities listed under Subsection (b) regarding the state response to the coronavirus disease (COVID-19) pandemic with respect to public education matters, including:

(1) the implementation of and distribution of funds under the following programs:

(A) programs to ensure one-time intensive educational supports for overcoming COVID-19 pandemic impact under Section 29.929;

(B) the use of one-time federal discretionary COVID-19 funding to ensure grade level support and reimbursements under Section 29.930;

(C) broadband technical support for students under Section 29.931; and

(D) one-time technology reimbursement under Section 29.932; and

(2) the use of state discretionary funds under:

(A) Section 18003(e), Coronavirus Aid, Relief, and Economic Security Act (Title VIII, Div. B, Pub. L. No. 116-136, reprinted in note, 20 U.S.C. Section 3401); and

(B) Section 313(e), Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (Div. M, Pub. L. No. 116-260, reprinted in note, 20 U.S.C. Section 3401).

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (IE)	CONFERENCE
	<p>(b) <u>The agency shall update, in accordance with Subsection (a), the following entities:</u></p> <p>(1) <u>the office of the governor;</u></p> <p>(2) <u>the office of the lieutenant governor;</u></p> <p>(3) <u>the office of the speaker of the house of representatives;</u></p> <p>(4) <u>the office of the chair of the Senate Committee on Finance;</u></p> <p>(5) <u>the office of the chair of the House Committee on Appropriations;</u></p> <p>(6) <u>the office of the chair of the Senate Committee on Education; and</u></p> <p>(7) <u>the office of the chair of the House Committee on Public Education.</u></p> <p>(c) <u>This section expires September 1, 2024.</u> [FA10]</p>	
No equivalent provision.	<p>SECTION __. Subchapter D, Chapter 39, Education Code, is amended by adding Section 39.087 to read as follows:</p> <p><u>Sec. 39.087. COVID-19 ADJUSTMENT FOR FINANCIAL ACCOUNTABILITY. (a) The commissioner shall adjust the financial accountability rating system under Section 39.082 to account for the impact of financial practices necessary as a response to the coronavirus disease (COVID-19) pandemic, including adjustments required to account for federal funding and funding adjustments under Subchapter F, Chapter 48.</u></p> <p><u>(b) This section expires September 1, 2023.</u> [FA10]</p>	
No equivalent provision.	<p>SECTION __. Subchapter F, Chapter 48, Education Code, is amended by adding Section 48.2611 to read as follows:</p> <p><u>Sec. 48.2611. ONE-TIME REIMBURSEMENT FOR WINTER STORM URI. (a) The agency shall provide</u></p>	

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (IE)	CONFERENCE
	<p><u>reimbursement to school districts in accordance with Section 48.261 for costs incurred as a result of the 2021 North American winter storm (Winter Storm Uri), including any resulting electricity price increases.</u></p> <p><u>(b) This section expires September 1, 2023. [FA10]</u></p>	
No equivalent provision.	<p>SECTION __. Section 22.092(d), Education Code, is amended to read as follows:</p> <p>(d) The agency shall provide [private schools and public schools] equivalent access to the registry maintained under this section to:</p> <p><u>(1) private schools;</u></p> <p><u>(2) public schools; and</u></p> <p><u>(3) nonprofit teacher organizations approved by the commissioner for the purpose of participating in the tutoring program established under Section 33.913. [FA12]</u></p>	
No equivalent provision.	<p>SECTION __. Subchapter Z, Chapter 33, Education Code, is amended by adding Section 33.913 to read as follows:</p> <p><u>Sec. 33.913. TUTORING PROGRAM. (a) A member of a nonprofit teacher organization or a person who is not a member but meets the requirements under Subsection (b) may participate in a tutoring program in accordance with this section to provide supplemental instruction to students in kindergarten through grade 12 on an individualized or small-group basis.</u></p> <p><u>(b) To participate in the program as a tutor, a person must:</u></p> <p><u>(1) be an active or retired teacher;</u></p> <p><u>(2) apply for the position in a manner specified by the nonprofit organization;</u></p>	

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

(3) designate in the application whether the person plans to provide tutoring:
(A) for compensation, on a volunteer basis, or both; and
(B) in person, online, or both; and
(4) not be included in the registry of persons not eligible for employment by a public school under Section 22.092. [FA12]
(c) The superintendent or chief executive officer of each school district or open-enrollment charter school or the person designated by the superintendent or chief executive officer shall:
(1) oversee the tutoring program within the district or school; and
(2) not later than the last day of each semester, submit a report to the board of trustees of the district or the governing body of the school that includes, with respect to that semester:
(A) the number of active or retired teachers who contacted the district or school to offer tutoring services to students in the district or school; and
(B) the number of active or retired teachers who were used by the district or school as a tutor on a volunteer basis or employed by the district or school to provide tutoring services for compensation. [FA12,FA13(1)]
(d) A school district or open-enrollment charter school may use any available local, state, or federal funds to provide compensation to a person participating in the program as a tutor who is providing tutoring for compensation under the program [FA12]
(e) If an active or retired teacher who has been approved for participation in the tutoring program contacts a school district or open-enrollment charter school to provide tutoring to students in the district or school and the district or school needs tutoring assistance, the district or school may:

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

[FA12,FA13(2)]
(1) if the teacher is providing tutoring services on a volunteer basis, use the volunteer tutoring services provided by the teacher; or
(2) if the district or school has local, state, or federal funds for purposes of the tutoring program and the teacher is providing tutoring services for compensation, employ the teacher as a tutor.
(f) At least quarterly, each nonprofit organization participating in the tutoring program shall provide to the organization's members:
(1) a description of the tutoring program and guidance on how to participate in the program; and
(2) the contact information of each person described by Subsection (c) for the school district in which the member resides, any open-enrollment charter schools located within that district, and any adjacent districts. [FA12]
() This section does not create a cause of action or liability or an obligation or duty that provides a basis for a cause of action or liability against a nonprofit teacher organization approved by the commissioner for the purpose of participating in the tutoring program for any action taken by a member of the organization participating in the program as a tutor.
[FA12,FA13(3)]

SECTION __. Section 824.602(a), Government Code, is amended to read as follows:
(a) Subject to Section 825.506, the retirement system may not, under Section 824.601, withhold a monthly benefit payment if the retiree is employed in a Texas public educational institution:

No equivalent provision.

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

- (1) as a substitute only with pay not more than the daily rate of substitute pay established by the employer and, if the retiree is a disability retiree, the employment has not exceeded a total of 90 days in the school year;
- (2) in a position, other than as a substitute, on no more than a one-half time basis for the month;
- (3) in one or more positions on as much as a full-time basis, if the retiree has been separated from service with all Texas public educational institutions for at least 12 full consecutive months after the retiree's effective date of retirement; [Ø¶]
- (4) in a position, other than as a substitute, on no more than a one-half time basis for no more than 90 days in the school year, if the retiree is a disability retiree; or
- (5) as a tutor under Section 33.913, Education Code. [FA12]

SECTION __. Subchapter G, Chapter 825, Government Code, is amended by adding Section 825.604 to read as follows:

Sec. 825.604. INFORMATION PROVIDED TO MEMBERS. The retirement system shall regularly provide information in an electronic format to members and retirees regarding the tutoring program established under Section 33.913, Education Code, that includes:

- (1) general information regarding the tutoring program; and
- (2) a statement directing members and retirees who want to participate in the tutoring program to contact their local school districts or open-enrollment charter schools for further guidance. [FA12]

SECTION __. (a) Subject to Subsection (b) of this section,

No equivalent provision.

No equivalent provision.

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

the changes in law made by this Act apply to a retiree of the Teacher Retirement System of Texas regardless of whether the person retired from employment before, on, or after the effective date of this Act.

(b) Section 824.602(a), Government Code, as amended by this Act, applies only to the employment of a retiree of the Teacher Retirement System of Texas that occurs on or after the effective date of this Act. [FA12]

No equivalent provision.

SECTION __. Chapter 29, Education Code, is amended by adding Subchapter A-1 to read as follows:
SUBCHAPTER A-1. SUPPLEMENTAL SPECIAL EDUCATION SERVICES PROGRAM
Sec. 29.041. DEFINITIONS. In this subchapter:
(1) "Parent" means a resident of this state who is a natural or adoptive parent, managing or possessory conservator, legal guardian, custodian, or other person with legal authority to act on behalf of a child.
(2) "Supplemental special education instructional materials" includes textbooks, computer hardware or software, other technological devices, and other materials suitable for addressing an educational need of a student receiving special education services under Subchapter A.
(3) "Supplemental special education services" means an additive service that provides an educational benefit to a student receiving special education services under Subchapter A, including:
(A) occupational therapy, physical therapy, and speech therapy; and
(B) private tutoring and other supplemental private

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

instruction or programs.

Sec. 29.042. ESTABLISHMENT AND ADMINISTRATION OF PROGRAM. (a) The agency by rule shall establish and administer a supplemental special education services and instructional materials program for students who meet the eligibility requirements for participation in the program. Subject to Subsection (c), the agency shall provide each student approved as provided by this subchapter a grant of not more than \$1,500 to purchase supplemental special education services and supplemental special education instructional materials.

(b) In administering the program, the agency shall maintain a system of online accounts to provide access to the grant described by Subsection (a) to an eligible student's parent.

(c) The commissioner shall set aside an amount not to exceed \$30 million from the total amount of funds appropriated for each state fiscal year to fund the program under this section. For each state fiscal year, the total amount provided for student grants under Subsection (a) may not exceed the amount set aside by the commissioner under this subsection.

(d) The agency shall designate one or more regional education service centers to administer the program.

Sec. 29.043. APPLICATION FOR GRANT ON BEHALF OF STUDENT. The agency shall establish an application process for an eligible student's parent to apply for a grant held in an online account maintained under Section 29.042(b) and assigned to the student under Section 29.045.

Sec. 29.044. PROGRAM ELIGIBILITY CRITERIA. (a) The agency shall establish eligibility criteria for the approval of an application submitted under Section 29.043. The criteria must require that the student be enrolled in the current school year at a school district or open-enrollment charter school and

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

in a district's or school's special education program under Subchapter A.

(b) The eligibility criteria established under this section must also prioritize students for whom a school district or open-enrollment charter school is eligible for a compensatory education allotment under Section 48.104.

Sec. 29.045. APPROVAL OF APPLICATION; ASSIGNMENT OF ACCOUNT. Subject to available funding the agency shall approve each student who meets the program eligibility criteria established under Section 29.044 and assign to the student an account maintained under Section 29.042(b). The account may only be used by the student's parent to purchase supplemental special education services or supplemental special education instructional materials for the student, subject to Sections 29.046 and 29.047.

Sec. 29.046. ACCOUNT USE RESTRICTION. (a) Money in an account assigned to a student under Section 29.045 may be used only for supplemental special education services and supplemental special education instructional materials.

(b) Supplemental special education services must be provided by an agency-approved provider.

(c) If the agency has approved vendors for a category of instructional material under Section 29.047, instructional materials must be purchased from an agency-approved vendor for that category of instructional material. If the agency does not establish criteria for agency approval for a category of instructional materials, money in the student's account may be used to purchase the instructional materials from any vendor.

Sec. 29.047. AGENCY-APPROVED PROVIDERS AND VENDORS: CRITERIA AND APPLICATION. (a) The agency shall establish criteria necessary for agency approval for each category of provider of a professional service that is a

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

supplemental special education service, as identified by the agency.

(b) The criteria established under this section must require a provider of a category of professional service to be appropriately licensed or accredited in this state to provide that service, including providers of physical therapy, occupational therapy, and speech therapy.

(c) The agency shall provide a procedure for providers of supplemental special education services to apply to the agency to become an agency-approved provider.

(d) The agency may establish criteria for agency approval of vendors for each category of supplemental special education instructional materials identified by the agency.

(e) If the agency establishes criteria for agency approval for a vendor of a category of supplemental special education instructional materials, the agency shall provide a procedure for vendors of that category to apply to the agency to become an agency-approved vendor.

Sec. 29.048. LIST OF SUPPLEMENTAL SPECIAL EDUCATION SERVICES. The admission, review, and dismissal committee of a student approved for participation in the program shall provide to the student's parent at an admission, review, and dismissal committee meeting for the student a list of supplemental special education services provided by agency-approved providers for which an account maintained under Section 29.042(b) for the student may be used. Supplemental special education services not included on the list may still be eligible under this section if the services otherwise meet the requirements of this subchapter.

Sec. 29.049. RULES. The commissioner shall adopt rules as necessary to administer the supplemental special education services and instructional materials program under this

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

subchapter.
Sec. 29.050. EXPIRATION. This subchapter expires
September 1, 2024. [FA18]

SECTION __. Chapter 48, Education Code, is amended by adding Subchapter H to read as follows:
SUBCHAPTER H. TEXAS COMMISSION ON SPECIAL EDUCATION FUNDING
Sec. 48.401. DEFINITION. In this subchapter, "commission" means the Texas Commission on Special Education Funding.
Sec. 48.402. TEXAS COMMISSION ON SPECIAL EDUCATION FUNDING. (a) The commission is established to develop and make recommendations regarding methods of financing special education in public schools.
(b) The commission is composed of seven members, appointed as follows:
(1) one member appointed by the governor;
(2) three members appointed by the lieutenant governor; and
(3) three members appointed by the speaker of the house of representatives.
(c) In making appointments under Subsection (b), the governor, lieutenant governor, and speaker of the house of representatives shall coordinate to ensure that membership of the commission, to the extent possible, reflects the ethnic and geographic diversity of this state.
(d) The members appointed by:
(1) the governor must have an interest in special education;
(2) the lieutenant governor must be three members of the senate; and
(3) the speaker of the house of representatives must be three members of the house of representatives.

No equivalent provision.

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

Sec. 48.403. PRESIDING OFFICER. The governor shall designate the presiding officer of the commission.

Sec. 48.404. COMPENSATION AND REIMBURSEMENT. A member of the commission is not entitled to compensation for service on the commission but is entitled to reimbursement for actual and necessary expenses incurred in performing commission duties.

Sec. 48.405. ADMINISTRATIVE SUPPORT AND FUNDING. (a) The agency shall provide administrative support for the commission.

(b) Funding for the administrative and operational expenses of the commission shall be provided by legislative appropriation made to the agency for that purpose.

Sec. 48.406. RECOMMENDATIONS. (a) The commission shall develop recommendations under this subchapter to address issues related to special education funding.

(b) The commission may establish one or more working groups composed of not more than three members of the commission to study, discuss, and address specific policy issues and recommendations to refer to the commission for consideration.

Sec. 48.407. REPORT. Not later than December 31, 2022, the commission shall prepare and deliver a report to the governor and the legislature that recommends statutory changes to improve funding for special education.

Sec. 48.408. PUBLIC MEETINGS AND PUBLIC INFORMATION. (a) The commission may hold public meetings as needed to fulfill its duties under this subchapter.

(b) The commission is subject to Chapters 551 and 552, Government Code.

Sec. 48.409. COMMISSION ABOLISHED; EXPIRATION OF SUBCHAPTER. The commission is abolished and this

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

subchapter expires January 1, 2023. [FA18]

No equivalent provision.

SECTION __. Section 7.058, Education Code, is amended to read as follows:
Sec. 7.058. RESEARCH ON MATHEMATICS SKILLS ACQUISITION AND PROGRAM EFFECTIVENESS. From funds appropriated for the purpose, the commissioner shall award to one or more institutions that have demonstrated an ability to conduct science-based research on effective instructional strategies that improve student performance in mathematics a grant to be used to:
(1) develop and identify research on mathematics skills acquisition and student learning in mathematics;
(2) monitor the effectiveness of mathematics achievement academies ~~[professional development institutes]~~ under Section 21.4553 ~~[21.455]~~ based on performance in mathematics by the students of teachers who have attended an academy ~~[institute]~~;
(3) examine the effect of mathematics achievement academies ~~[professional development institutes]~~ on the classroom performance of teachers who have attended an academy ~~[institute]~~;
(4) identify common practices used at high-performing school campuses that lead to improved student performance in mathematics; and
(5) develop research on cognitive development in children concerning mathematics skills development. [FA22(1)]

No equivalent provision.

SECTION __. Section 11.175, Education Code, is amended by adding Subsection (g) to read as follows:
(g) Notwithstanding Section 2054.5191, Government Code,

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

only the district's cybersecurity coordinator is required to complete the cybersecurity training under that section on an annual basis. Any other school district employee required to complete the cybersecurity training shall complete the training as determined by the district, in consultation with the district's cybersecurity coordinator. [FA22(1)]

SECTION __. Section 21.054, Education Code, is amended by adding Subsection (a-1) and amending Subsections (d), (e), and (f) to read as follows:

(a-1) Continuing education requirements for educators must include training regarding educating students with disabilities.

(d) Continuing education requirements for a classroom teacher must provide that not more than ~~[at least]~~ 25 percent of the training required every five years include instruction regarding:

- (1) collecting and analyzing information that will improve effectiveness in the classroom;
- (2) recognizing early warning indicators that a student may be at risk of dropping out of school;
- (3) digital learning, digital teaching, and integrating technology into classroom instruction;
- (4) educating diverse student populations, including:
 - (A) ~~[students who are eligible to participate in special education programs under Subchapter A, Chapter 29;~~
 - ~~[(B) students who are eligible to receive educational services required under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794);~~
 - ~~[(C) students with mental health conditions or who engage in substance abuse;~~
 - ~~[(D) students with intellectual or developmental disabilities;~~

No equivalent provision.

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

~~[(E)] students who are educationally disadvantaged; and~~
~~(B) [(F) students of limited English proficiency; and~~
~~[(G)] students at risk of dropping out of school; and~~
(5) understanding appropriate relationships, boundaries, and communications between educators and students~~;~~ ~~and~~
~~[(6) how mental health conditions, including grief and trauma, affect student learning and behavior and how evidence-based, grief-informed, and trauma-informed strategies support the academic success of students affected by grief and trauma].~~
(e) Continuing education requirements for a principal must provide that not more than ~~[at least]~~ 25 percent of the training required every five years include instruction regarding:
(1) effective and efficient management, including:
(A) collecting and analyzing information;
(B) making decisions and managing time; and
(C) supervising student discipline and managing behavior;
(2) recognizing early warning indicators that a student may be at risk of dropping out of school;
(3) digital learning, digital teaching, and integrating technology into campus curriculum and instruction;
(4) effective implementation of a comprehensive school counseling program under Section 33.005;
(5) mental health programs addressing a mental health condition;
(6) educating diverse student populations, including:
(A) ~~[students who are eligible to participate in special education programs under Subchapter A, Chapter 29;~~
~~[(B) students with intellectual or developmental disabilities;~~
~~[(C) students who are eligible to receive educational services required under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794);~~

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

~~[(D) students with mental health conditions or who engage in substance abuse;~~

~~[(E)]~~ students who are educationally disadvantaged;

~~(B)~~ ~~[(F)]~~ students of limited English proficiency; and

~~(C)~~ ~~[(G)]~~ students at risk of dropping out of school; and

(7) preventing, recognizing, and reporting any sexual conduct between an educator and student that is prohibited under Section 21.12, Penal Code, or for which reporting is required under Section 21.006 of this code~~;~~ and

~~[(8) how mental health conditions, including grief and trauma, affect student learning and behavior and how evidence-based, grief-informed, and trauma-informed strategies support the academic success of students affected by grief and trauma].~~

(f) Continuing education requirements for a counselor must provide that not more than ~~[at least]~~ 25 percent of training required every five years include instruction regarding:

(1) assisting students in developing high school graduation plans;

(2) implementing dropout prevention strategies;

(3) informing students concerning:

(A) college admissions, including college financial aid resources and application procedures; and

(B) career opportunities;

(4) counseling students concerning mental health conditions and substance abuse, including through the use of grief-informed and trauma-informed interventions and crisis management and suicide prevention strategies; and

(5) effective implementation of a comprehensive school counseling program under Section 33.005. [FA22(1)]

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

No equivalent provision.

SECTION __. Sections 21.451(d), (d-1), and (d-3), Education Code, are amended to read as follows:

(d) The staff development:

(1) may include training in:

(A) technology and digital learning; and

(B) positive behavior intervention and support strategies, including classroom management, district discipline policies, and the student code of conduct adopted under Chapter 37; ~~[and~~

~~[(C) digital learning;]~~

(2) subject to Subsection (e) and to Section 21.3541 and rules adopted under that section, must include training that is evidence-based, as defined by Section 8101, Every Student Succeeds Act (20 U.S.C. Section 7801), and that:

(A) relates to instruction of students with disabilities, including students with disabilities who also have other intellectual or mental health conditions; and

(B) is designed for educators who work primarily outside the area of special education; and

(3) must include training on:

(A) suicide prevention;

(B) ~~[recognizing signs of mental health conditions and substance abuse;~~

~~[(C)]~~ strategies for establishing and maintaining positive relationships among students, including conflict resolution;

~~[(D) how grief and trauma affect student learning and behavior and how evidence-based, grief-informed, and trauma-informed strategies support the academic success of students affected by grief and trauma;]~~ and

~~(C)~~ ~~[(E)]~~ preventing, identifying, responding to, and reporting incidents of bullying.

(d-1) The training required by Subsection (d)(3):

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

(1) must:
(A) be provided in accordance with the policy adopted under Section 21.4515; ~~[(i) on an annual basis, as part of a new employee orientation, to all new school district and open enrollment charter school educators; and~~
~~[(ii) to existing school district and open enrollment charter school educators on a schedule adopted by the agency by rule;]~~ and
(B) use a best practice-based program recommended by the Health and Human Services Commission in coordination with the agency under Section 38.351; and
(2) may include two or more listed topics together.
(d-3) The technology and digital learning training provided by Subsection ~~(d)(1)(A)~~ ~~[(d)(1)(E)]~~ must:
(1) discuss basic technology proficiency expectations and methods to increase an educator's digital literacy; and
(2) assist an educator in the use of digital technology in learning activities that improve teaching, assessment, and instructional practices. [FA22(1)]

SECTION __. Subchapter J, Chapter 21, Education Code, is amended by adding Sections 21.4514 and 21.4515 to read as follows:
Sec. 21.4514. CONTINUING EDUCATION AND TRAINING CLEARINGHOUSE; ADVISORY GROUP. (a) In this section:
(1) "Board" means the State Board for Educator Certification.
(2) "Clearinghouse advisory group" means the clearinghouse advisory group established under Subsection (d).
(b) The board shall publish a comprehensive clearinghouse of

No equivalent provision.

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

information regarding continuing education and training requirements for:

(1) educators; and

(2) other school personnel.

(c) The clearinghouse must:

(1) include best practices and industry recommendations for the frequency for training of educators and other school personnel; and

(2) be published in consultation with the clearinghouse advisory group.

(d) The board shall establish a clearinghouse advisory group consisting of educators, including classroom teachers, and representatives of organizations that represent educators to review and provide input regarding the best practices and industry recommendations included in the clearinghouse. In publishing the clearinghouse, the board shall ensure the clearinghouse reflects input provided by the clearinghouse advisory group.

(e) Not later than December 1 of each even-numbered year, the clearinghouse advisory group shall complete a review of the clearinghouse and submit a report to the legislature of the group's recommendations regarding whether any required continuing education or training may be reduced, eliminated, or consolidated with other existing continuing education or training.

Sec. 21.4515. ANNUAL ADOPTION OF PROFESSIONAL DEVELOPMENT POLICY. (a) The board of trustees of a school district and the governing body of an open-enrollment charter school, to the extent applicable, shall annually review the clearinghouse published under Section 21.4514 and adopt a professional development policy that must:

(1) be guided by the recommendations for training in the

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

clearinghouse;
(2) note any differences in the policy adopted by the district or school from the recommendations in the clearinghouse; and
(3) include a schedule of all training required for educators or other school personnel at the district or school.
(b) To the extent of any conflict, a frequency requirement for the completion of training provided by statute prevails over a frequency requirement for that training included in the policy adopted by the board of trustees of a school district or the governing body of an open-enrollment charter school under Subsection (a).
(c) The commissioner may not adopt rules regarding a required frequency for the completion of training unless:
(1) a frequency is provided by statute for that training; and
(2) the commissioner is granted explicit rulemaking authority related to that training. [FA22(1)]

SECTION __. Section 21.4552, Education Code, is amended by amending Subsections (a), (b), and (c) and adding Subsection (b-1) to read as follows:
(a) The commissioner shall develop and make available literacy achievement academies for teachers who provide reading instruction to students at any grade level [~~at the kindergarten or first, second, or third grade level~~].
(b) A literacy achievement academy developed under this section:
(1) for teachers who provide reading instruction to students at the kindergarten or first, second, or third grade level:
(A) [(1)] must include training in:
(i) [(A)] effective and systematic instructional practices in reading, including phonemic awareness, phonics, fluency,

No equivalent provision.

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

vocabulary, and comprehension; and
(ii) ~~[(B)]~~ the use of empirically validated instructional methods that are appropriate for struggling readers; and
(B) ~~[(2)]~~ may include training in effective instructional practices in writing;
(2) for teachers who provide reading instruction to students at the fourth or fifth grade level:
(A) must include effective instructional practices that promote student development of reading comprehension and inferential and critical thinking;
(B) must provide training in the use of empirically validated instructional methods that are appropriate for struggling readers; and
(C) may include material on writing instruction;
(3) for teachers who provide reading instruction to students at the seventh or eighth grade level, must include training in:
(A) administration of the reading instrument required by Section 28.006(c-1); and
(B) interpretation of the results of the reading instrument required by Section 28.006(c-1) and strategies, based on scientific research regarding effective reading instruction, for long-term intensive intervention to target identified student needs in word recognition, vocabulary, fluency, and comprehension;
(4) for teachers who provide reading instruction to students at the sixth, seventh, or eighth grade level, must include training in:
(A) strategies to be implemented in English language arts and other subject areas for multisyllable word reading, vocabulary development, and comprehension of expository and narrative text;
(B) an adaptation framework that enables teachers to respond

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

to differing student strengths and needs, including adaptations for students of limited English proficiency or students receiving special education services under Subchapter A, Chapter 29;

(C) collaborative strategies to increase active student involvement and motivation to read; and

(D) other areas identified by the commissioner as essential components of reading instruction; and

(5) for teachers who provide instruction in mathematics, science, or social studies to students at the sixth, seventh, or eighth grade level, must include training in:

(A) strategies for incorporating reading instruction into the curriculum for the subject area taught by the teacher; and

(B) other areas identified by the commissioner.

(b-1) The completion of a literacy achievement academy under this section by an educator who teaches students with dyslexia satisfies:

(1) the training requirement under Section 21.054(b); and

(2) a training requirement adopted by the State Board of Education pursuant to Section 38.003 related to the screening or treatment of a student for dyslexia or a related disorder.

(c) The commissioner shall adopt criteria for selecting teachers who may attend a literacy achievement academy. In adopting selection criteria under this subsection, the commissioner shall:

(1) require a teacher to attend a literacy achievement academy if the teacher provides instruction in reading, mathematics, science, or social studies to students at the sixth, seventh, or eighth grade level at a campus that fails to satisfy any standard under Section 39.054(e) on the basis of student performance on the reading assessment instrument administered under Section 39.023(a) to students in any grade level at the campus;

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

(2) grant [~~granting a~~] priority to teachers employed by a school district at a campus at which 50 percent or more of the students enrolled are educationally disadvantaged; and
(3) [(2)] provide a process through which a teacher not employed at a campus described by Subdivision (2) [(4)] may attend the academy if the academy has available space and the school district employing the teacher pays the costs of the teacher's attendance. [FA22(1)]

SECTION __. Sections 21.4553(a) and (b), Education Code, are amended to read as follows:
(a) The commissioner shall develop and make available mathematics achievement academies for teachers who provide mathematics instruction to students at any grade level [~~the kindergarten or first, second, or third grade level~~].
(b) A mathematics achievement academy developed under this section must, if appropriate for the grade level at which the teacher provides instruction, include training in:
(1) effective and systematic instructional practices in mathematics, including problem solving, the place value system, whole number operations, and fractions;
(2) the underlying mathematical skills required to be taught;
and
(3) mathematical instruction techniques that, through scientific testing, have been proven effective. [FA22(1)]

SECTION __. Subchapter J, Chapter 21, Education Code, is amended by adding Section 21.4571 to read as follows:
Sec. 21.4571. TEXAS ENGLISH LANGUAGE PROFICIENCY ASSESSMENT SYSTEM TRAINING. (a)

No equivalent provision.

No equivalent provision.

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

The commissioner may not require a school district employee to repeat training or online calibration activities the employee has previously successfully completed related to administering the Texas English Language Proficiency Assessment System, except that the commissioner may require the employee to complete training or online calibration activities if the administration of or assessment using the Texas English Language Proficiency Assessment System has changed significantly since the employee completed the training.
(b) The school district employee assigned to oversee the administration of the Texas English Language Proficiency Assessment System at a district campus may, with discretion, require other district employees involved in administering the Texas English Language Proficiency Assessment System to complete training or online calibration activities described by Subsection (a).
(c) A school district employee may not be required to complete a training or online calibration activity described by Subsection (a) in one sitting. [FA22(1)]

SECTION __. Sections 21.458(b) and (b-1), Education Code, are amended to read as follows:
(b) The commissioner shall adopt rules necessary to administer this section, including rules concerning the duties and qualifications of a teacher who serves as a mentor and the number of classroom teachers that may be assigned to a mentor. The rules concerning qualifications must require that to serve as a mentor a teacher must:
(1) complete a research-based mentor and induction training program approved by the commissioner;
(2) complete a mentor training program provided by the

No equivalent provision.

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

district, which the district may allow to be satisfied by completing the training program described by Subdivision (1);
(3) have at least three complete years of teaching experience with a superior record of assisting students, as a whole, in achieving improvement in student performance; and
(4) demonstrate interpersonal skills, instructional effectiveness, and leadership skills.
(b-1) A school district must provide training as described by Subsection (b)(2) to mentor teachers and any appropriate district and campus employees who work with the classroom teacher or supervise the classroom teacher. A district may allow a training program approved by the commissioner under Subsection (b)(1) to qualify for the training required by this section. The training must be completed by the mentor teacher and the district and campus employees before the beginning of the school year. The district shall also provide supplemental training to mentor teachers and employees during the school year. The training must include content related to best mentorship practices. [FA22(1)]

SECTION __. Section 22.902(a), Education Code, is amended to read as follows:
(a) A school district shall, in accordance with the policy adopted under Section 21.4515, ~~annually~~ make available to district employees and volunteers instruction in the principles and techniques of cardiopulmonary resuscitation and the use of an automated external defibrillator, as defined by Section 779.001, Health and Safety Code. [FA22(1)]

SECTION __. Section 28.006(g-1), Education Code, is

No equivalent provision.

No equivalent provision.

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (IE)	CONFERENCE
	amended to read as follows: (g-1) A school district shall provide additional reading instruction and intervention to each student in seventh grade assessed under Subsection (c-1), as appropriate to improve the student's reading skills in the relevant areas identified through the assessment instrument. Training and support for activities required by this subsection shall be provided by regional education service centers and teacher <u>literacy achievement</u> [reading] academies established under Section <u>21.4552</u> [21.4551] , and may be provided by other public and private providers. [FA22(1)]	
No equivalent provision.	SECTION __. Section 29.063, Education Code, is amended by adding Subsection (e) to read as follows: (e) <u>The agency may not require members of a language proficiency assessment committee to complete training to serve on that committee.</u> [FA22(1)]	
No equivalent provision.	SECTION __. Section 33.086(b), Education Code, is amended to read as follows: (b) Each school district shall adopt, <u>in accordance with the policy adopted under Section 21.4515,</u> procedures necessary for administering this section, including procedures for the time and manner in which proof of current certification must be submitted. [FA22(1)]	
No equivalent provision.	SECTION __. Sections 33.202(b) and (c), Education Code, are amended to read as follows: (b) The following persons must satisfactorily complete the	

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

safety training program in accordance with the policy adopted under Section 21.4515:

- (1) a coach, trainer, or sponsor for an extracurricular athletic activity; and
- (2) ~~[except as provided by Subsection (f), a physician who is employed by a school or school district or who volunteers to assist with an extracurricular athletic activity; and~~
- ~~[(3)]~~ a director responsible for a school marching band.
- (c) The safety training program must include:
 - (1) certification of participants by the American Red Cross, the American Heart Association, or a similar organization or by the University Interscholastic League;
 - (2) current training in:
 - (A) emergency action planning;
 - (B) ~~[cardiopulmonary resuscitation if the person is not required to obtain certification under Section 33.086;~~
 - ~~[(C)]~~ communicating effectively with 9-1-1 emergency service operators and other emergency personnel; and
 - (C) ~~[(D)]~~ recognizing symptoms of potentially catastrophic injuries, including head and neck injuries, concussions, injuries related to second impact syndrome, asthma attacks, heatstroke, cardiac arrest, and injuries requiring use of a defibrillator; and
 - (3) ~~[at least once each school year,]~~ a safety drill that incorporates the training described by Subdivision (2) and simulates various injuries described by Subdivision (2)(C) ~~[(2)(D)]~~. [FA22(1)]

SECTION __. Section 37.0831(b), Education Code, is amended to read as follows:
(b) A dating violence policy must:

No equivalent provision.

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

(1) include a definition of dating violence that includes the intentional use of physical, sexual, verbal, or emotional abuse by a person to harm, threaten, intimidate, or control another person in a dating relationship, as defined by Section 71.0021, Family Code; and
(2) address safety planning, enforcement of protective orders, school-based alternatives to protective orders, training for teachers and administrators at each district campus that instructs students in grade six or higher, counseling for affected students, and awareness education for students and parents. [FA22(1)]

SECTION __. Sections 38.0041(c) and (d), Education Code, are amended to read as follows:
(c) The methods under Subsection (b)(1) for increasing awareness of issues regarding sexual abuse, sex trafficking, and other maltreatment of children must include training, as provided by this subsection, concerning prevention techniques for and recognition of sexual abuse, sex trafficking, and all other maltreatment of children, including the sexual abuse, sex trafficking, and other maltreatment of children with significant cognitive disabilities. The training:
(1) must be provided in accordance with the policy adopted under Section 21.4515~~[, as part of a new employee orientation, to all new school district and open-enrollment charter school employees and to existing district and open-enrollment charter school employees on a schedule adopted by the agency by rule until all district and open-enrollment charter school employees have taken the training];~~ and
(2) must include training concerning:
(A) factors indicating a child is at risk for sexual abuse, sex

No equivalent provision.

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (IE)	CONFERENCE
	<p>trafficking, or other maltreatment;</p> <p>(B) likely warning signs indicating a child may be a victim of sexual abuse, sex trafficking, or other maltreatment;</p> <p>(C) internal procedures for seeking assistance for a child who is at risk for sexual abuse, sex trafficking, or other maltreatment, including referral to a school counselor, a social worker, or another mental health professional;</p> <p>(D) techniques for reducing a child's risk of sexual abuse, sex trafficking, or other maltreatment; and</p> <p>(E) community organizations that have relevant existing research-based programs that are able to provide training or other education for school district or open-enrollment charter school staff members, students, and parents.</p> <p>(d) For any training under Subsection (c), each school district and open-enrollment charter school shall maintain records that include the [name of each] district or charter school staff <u>members</u> [member] who participated in the training.</p> <p>[FA22(1)]</p>	
No equivalent provision.	<p>SECTION __. Section 38.030(g), Education Code, is amended to read as follows:</p> <p>(g) The course of instruction for training described under Subsection (f) may [not] be provided as an online course. The course of instruction must use nationally recognized, evidence-based guidelines for bleeding control and must incorporate instruction on the psychomotor skills necessary to use a bleeding control station in the event of an injury to another person, including instruction on proper chest seal placement. [FA22(1)]</p>	

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (IE)	CONFERENCE
No equivalent provision.	<p>SECTION __. Section 38.036, Education Code, is amended by amending Subsections (c) and (d) and adding Subsection (c-1) to read as follows:</p> <p>(c) The methods under Subsection (b)(1) for increasing awareness and implementation of trauma-informed care must include training as provided by this subsection. The training must:</p> <p>(1) be provided:</p> <p><u>(A) [(4)] through a program selected from the list of recommended best practice-based programs and research-based practices established under Section 38.351 [461.325, Health and Safety Code]; and</u></p> <p><u>(B) in accordance with the policy adopted under Section 21.4515 [(2) as part of any new employee orientation for all new school district educators]; and</u></p> <p>(2) address how grief and trauma affect student learning and behavior and how evidence-based, grief-informed, and trauma-informed strategies support the academic success of students affected by grief and trauma</p> <p>[(3) to existing school district educators on a schedule adopted by the agency by rule that requires educators to be trained at intervals necessary to keep educators informed of developments in the field].</p> <p><u>(c-1) The training under Subsection (c) may include two or more listed topics together.</u></p> <p>(d) For any training under Subsection (c), each school district shall maintain records that include the [name of each] district staff <u>members</u> [member] who participated in the training.</p> <p>[FA22(1)]</p>	
No equivalent provision.	<p>SECTION __. Section 38.210(b), Education Code, is</p>	

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

amended to read as follows:

- (b) Training required under this section must:
 - (1) include information on:
 - (A) recognizing the signs and symptoms of anaphylaxis;
 - (B) administering an epinephrine auto-injector;
 - (C) implementing emergency procedures, if necessary, after administering an epinephrine auto-injector; and
 - (D) properly disposing of used or expired epinephrine auto-injectors; ~~and~~
 - (2) be provided in a formal training session or through online education; and
 - (3) be provided in accordance with the policy adopted under Section 21.4515 ~~[and be completed annually]~~. [FA22(1)]

SECTION __. Section 38.351(h), Education Code, is amended to read as follows:

- (h) If a school district provides the training under Subsection (g), the school district shall:
 - (1) require completion of the training in accordance with the policy adopted under Section 21.4515 ~~[a school district employee described under that subsection must participate in the training at least one time]~~; and
 - (2) ~~[the school district shall]~~ maintain records that include the ~~[name of each]~~ district employees ~~[employee]~~ who participated in the training. [FA22(1)]

SECTION __. Section 39.0304, Education Code, is amended by amending Subsection (a) and adding Subsections (b-1) and (b-2) to read as follows:

- (a) To ensure that each administration of assessment

No equivalent provision.

No equivalent provision.

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

instruments under Section 39.023 is valid, reliable, and in compliance with the requirements of this subchapter, the commissioner may require training for school district employees involved in the administration of the assessment instruments, subject to Subsection (b-1).

(b-1) The commissioner may only require the employee at each district campus who oversees the administration of the assessment instruments to annually receive the training required under Subsection (a).

(b-2) The school district employee who oversees test administration on a district campus may, with discretion, require other district employees involved in the administration of assessment instruments to repeat the training under Subsection (a). [FA22(1)]

SECTION __. Section 39.408, Education Code, is amended to read as follows:

Sec. 39.408. ELIGIBILITY CRITERIA FOR CERTAIN GRANT PROGRAMS. A school district or campus is eligible to participate in programs under Sections [21.4541,] 29.095[5] and 29.096 if the district or campus exhibited during each of the three preceding school years characteristics that strongly correlate with high dropout rates. [FA22(1)]

SECTION __. Not later than December 1, 2021, the commissioner of education shall adopt all rules necessary for the establishment and administration of the supplemental special education services and instructional materials program required under Subchapter A-1, Chapter 29, Education Code, as added by this Act. [FA18]

No equivalent provision.

No equivalent provision.

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

No equivalent provision.

SECTION __. (a) Not later than June 1, 2022, the State Board for Educator Certification shall publish the continuing education and training clearinghouse required by Section 21.4514, Education Code, as added by this Act.
(b) Not later than August 1, 2022, each school district shall adopt a professional development policy for district personnel in accordance with Section 21.4515, Education Code, as added by this Act.
(c) Except as provided by Subsection (b) of this section, this Act applies beginning with the 2021-2022 school year.
[FA22(1)]

No equivalent provision.

SECTION __. The Texas Education Agency is required to implement a provision of this Act only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the Texas Education Agency may, but is not required to, implement a provision of this Act using other appropriations available for that purpose. [FA22(1)]

No equivalent provision.

SECTION __. Section 12.056(b), Education Code, is amended to read as follows:
(b) A campus or program for which a charter is granted under this subchapter is subject to:
(1) a provision of this title establishing a criminal offense; and
(2) a prohibition, restriction, or requirement, as applicable, imposed by this title or a rule adopted under this title, relating

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (IE)	CONFERENCE
	<p>to:</p> <ul style="list-style-type: none">(A) the Public Education Information Management System (PEIMS) to the extent necessary to monitor compliance with this subchapter as determined by the commissioner;(B) criminal history records under Subchapter C, Chapter 22;(C) high school graduation under Section 28.025;(D) special education programs under Subchapter A, Chapter 29;(E) bilingual education under Subchapter B, Chapter 29;(F) prekindergarten programs under Subchapter E, Chapter 29, <u>except class size limits for prekindergarten classes imposed under Section 25.112, which do not apply;</u>(G) extracurricular activities under Section 33.081;(H) health and safety under Chapter 38;(I) public school accountability under Subchapters B, C, D, F, and J, Chapter 39, and Chapter 39A; and(J) the duty to discharge or refuse to hire certain employees or applicants for employment under Section 12.1059. [FA25]	
No equivalent provision.	<p>SECTION __. Section 12.104(b), Education Code, as amended by Chapters 262 (H.B. 1597), 464 (S.B. 11), 467 (H.B. 4170), and 943 (H.B. 3), Acts of the 86th Legislature, Regular Session, 2019, is reenacted and amended to read as follows:</p> <p>(b) An open-enrollment charter school is subject to:</p> <ul style="list-style-type: none">(1) a provision of this title establishing a criminal offense;(2) the provisions in Chapter 554, Government Code; and(3) a prohibition, restriction, or requirement, as applicable, imposed by this title or a rule adopted under this title, relating to: <ul style="list-style-type: none">(A) the Public Education Information Management System	

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

(PEIMS) to the extent necessary to monitor compliance with this subchapter as determined by the commissioner;
(B) criminal history records under Subchapter C, Chapter 22;
(C) reading instruments and accelerated reading instruction programs under Section 28.006;
(D) accelerated instruction under Section 28.0211;
(E) high school graduation requirements under Section 28.025;
(F) special education programs under Subchapter A, Chapter 29;
(G) bilingual education under Subchapter B, Chapter 29;
(H) prekindergarten programs under Subchapter E or E-1, Chapter 29, except class size limits for prekindergarten classes imposed under Section 25.112, which do not apply;
(I) extracurricular activities under Section 33.081;
(J) discipline management practices or behavior management techniques under Section 37.0021;
(K) health and safety under Chapter 38;
(L) public school accountability under Subchapters B, C, D, F, G, and J, Chapter 39, and Chapter 39A;
(M) the requirement under Section 21.006 to report an educator's misconduct;
(N) intensive programs of instruction under Section 28.0213;
(O) the right of a school employee to report a crime, as provided by Section 37.148;
(P) bullying prevention policies and procedures under Section 37.0832;
(Q) the right of a school under Section 37.0052 to place a student who has engaged in certain bullying behavior in a disciplinary alternative education program or to expel the student;
(R) the right under Section 37.0151 to report to local law

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (IE)	CONFERENCE
	enforcement certain conduct constituting assault or harassment; (S) a parent's right to information regarding the provision of assistance for learning difficulties to the parent's child as provided by Sections 26.004(b)(11) and 26.0081(c) and (d); (T) establishment of residency under Section 25.001; (U) [(T)] school safety requirements under Sections 37.108, 37.1081, 37.1082, 37.109, 37.113, 37.114, 37.115, 37.207, and 37.2071; (V) [(T)] the early childhood literacy and mathematics proficiency plans under Section 11.185; and (W) [(U)] the college, career, and military readiness plans under Section 11.186. [FA25]	
No equivalent provision.	SECTION __. Section 25.112(a), Education Code, is amended to read as follows: (a) Except as otherwise authorized by this section, a school district may not enroll more than 22 students in a <u>prekindergarten</u> , kindergarten, first, second, third, or fourth grade class. That limitation does not apply during: (1) any 12-week period of the school year selected by the district, in the case of a district whose average daily attendance is adjusted under Section 48.005(c); or (2) the last 12 weeks of any school year in the case of any other district. [FA25]	
No equivalent provision.	SECTION __. Section 29.1532(b), Education Code, is amended to read as follows: (b) If a school district contracts with a private entity for the operation of the district's prekindergarten program, the	

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (IE)	CONFERENCE
	program must at a minimum comply with: (1) the applicable child-care licensing standards adopted by the <u>Health and Human Services Commission</u> [Department of Protective and Regulatory Services] under Section 42.042, Human Resources Code; and (2) <u>the class size requirement for prekindergarten classes imposed under Section 25.112(a).</u> [FA25]	
No equivalent provision.	SECTION __. Section 29.171(c), Education Code, is amended to read as follows: (c) A prekindergarten program provided by a private provider under this section is subject to: (1) the requirements of this subchapter; and (2) <u>the class size requirement for prekindergarten classes imposed under Section 25.112(a).</u> [FA25]	
SECTION 31. (a) The following provisions of the Education Code are repealed: (1) Sections 12.133(d), (d-1), and (e);	SECTION 31. (a) The following provisions of the Education Code are repealed: (1) Sections 12.133(d), (d-1), and (e); (2) [Deleted by FA4(2)] (3) [Deleted by FA4(2)] () Section 21.054(d-2), as amended by Chapter 464 (S.B. 11) and Chapter 352 (H.B. 18), Acts of the 86th Legislature, Regular Session, 2019; () Section 21.054(e-2); () Section 21.454; () Section 21.4541; () Section 21.455; () Section 21.4551; () Section 21.4554;	

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (IE)	CONFERENCE
	<div><div></div><div>Section 28.013(d); [FA22(2)]</div><div>Sections 29.026(f) and (m); [FA15(1)]</div><div>Section 29.124; [FA26(2)]</div><div>Sections 33.202(d), (e), and (f);</div><div>Section 34.0021;</div><div>Section 38.036(e); [FA22(2)]</div></div>	
(2) Section 48.0051(a-1); and	(4) Section 48.0051(a-1); and [FA4(3)]	
(3) Sections 49.054(a) and (c).	(6) Sections 49.054(a) and (c).	
(b) The following provisions, which amended Section 42.006, Education Code, are repealed:	(b) The following provisions, which amended Section 42.006, Education Code, are repealed:	
(1) Section 2, Chapter 1036 (H.B. 548), Acts of the 86th Legislature, Regular Session, 2019; and	(1) Section 2, Chapter 1036 (H.B. 548), Acts of the 86th Legislature, Regular Session, 2019; and	
(2) Section 8, Chapter 1060 (H.B. 1051), Acts of the 86th Legislature, Regular Session, 2019.	(2) Section 8, Chapter 1060 (H.B. 1051), Acts of the 86th Legislature, Regular Session, 2019.	
No equivalent provision.	SECTION __. (a) Except as provided by Subsection (b) of this section, Sections 12.104 and 28.004, Education Code, as amended by this Act, apply beginning with the 2021-2022 school year. (b) Section 28.004(j-1), Education Code, as added by this Act, applies only to a purchase agreement entered into, amended, or renewed on or after September 1, 2021. [FA20(1)]	
No equivalent provision.	SECTION 32. Section 45.0021, Education Code, as amended by this Act, applies only to a tax rate adopted on or after the effective date of this Act. A tax rate adopted before the effective date of this Act is governed by the law in effect on the date the tax rate was adopted, and the former law is	

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (IE)	CONFERENCE
	continued in effect for that purpose.	
SECTION 32. To the extent of any conflict, this Act prevails over another Act of the 87th Legislature, Regular Session, 2021, relating to nonsubstantive additions to and corrections in enacted codes.	SECTION 33. Same as House version.	
SECTION 33. Section 11.26, Tax Code, as amended by this Act, applies only to ad valorem taxes imposed for a tax year beginning on or after January 1, 2022.	No equivalent provision.	
SECTION 34. (a) Except as otherwise provided by this section, this Act takes effect September 1, 2021. (b) Section 31.0211(c), Education Code, as amended by this Act, takes effect immediately if this Act 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, Section 31.0211(c), Education Code, as amended by this Act, takes effect September 1, 2021. (c) Section 11.26, Tax Code, as amended by this Act, takes effect January 1, 2022, but only if the constitutional amendment proposed by the 87th Legislature, Regular Session, 2021, authorizing the legislature to provide for the reduction of the amount of a limitation on the total amount of ad valorem taxes that may be imposed for general elementary and secondary public school purposes on the residence homestead of a person who is elderly or disabled to reflect any statutory reduction from the preceding tax year in the	SECTION __. (a) Except as provided by Subsection (b) of this section, this Act takes effect September 1, 2021. (b) Section 11.156(c), Education Code, as added by this Act, takes effect immediately if this Act 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, that section takes effect September 1, 2021. [FA19(2)]	

House Bill 1525
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (IE)	CONFERENCE
maximum compressed rate of the maintenance and operations taxes imposed for those purposes on the homestead is approved by the voters. If that amendment is not approved by the voters, Section 11.26, Tax Code, as amended by this Act, has no effect.		
No equivalent provision. <i>(But see SECTION 34 above.)</i>	SECTION __. (a) Except as provided by Subsection (b) of this section, this Act takes effect September 1, 2021. (b) Sections 12.104 and 28.004, Education Code, as amended by this Act, take effect immediately if this Act 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, those sections take effect September 1, 2021. [FA20(2)]	
No equivalent provision.	Same as House version. SECTION 34. [Deleted by FA19(2).]	