

Senate Education Committee

Interim Report

January 2025

January 6, 2024

The Honorable Dan Patrick
Lieutenant Governor of Texas
P.O. Box 12068
Austin, Texas 78711

Dear Lieutenant Governor Patrick,

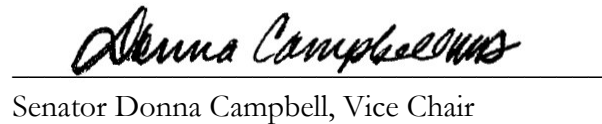
The Senate Education Committee is pleased to present our interim report to the 89th Texas Legislature, addressing the latest interim charges and providing recommendations. Our report focuses on topics central to advancing Texas education, with a renewed emphasis on student readiness, assessment reforms, oversight of federal COVID-19 funding, pathways from K-12 to higher education, and essential monitoring efforts.

We appreciate your leadership and trust that the insights and recommendations in this report will assist in the critical discussions and decisions ahead.

Respectfully submitted,



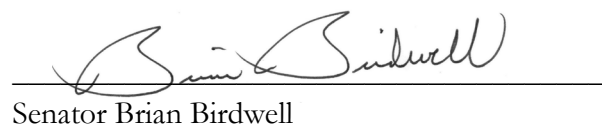
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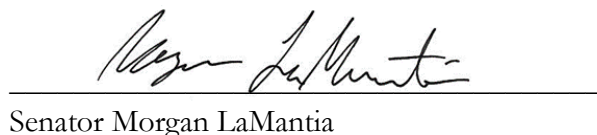
Senator Brian Birdwell



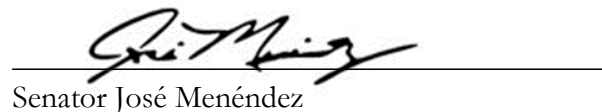
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Acknowledgements

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- **Scott Caffey**, Senate Committee Coordinator
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- **Senate Media, Texas Legislative Council, Senate Publications and Printing**

Your assistance and commitment were instrumental in shaping this report. Questions regarding this report may be directed to:

Senator Brandon Creighton, Chair

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Introduction

On April 11 and September 10, 2024, Lieutenant Governor Dan Patrick issued new interim charges to the Senate Education Committee, directing an in-depth review of key areas impacting Texas education and proposing legislative solutions to meet current and future challenges.

1. **Reading and Math Readiness:** Study current local, state, and national policies and programs that improve student achievement in reading and mathematics, with an emphasis on “early readiness” in grades Pre-K-5. Make recommendations to ensure every student has a strong academic foundation in reading and math.
2. **Testing Reform:** Review the state's current development and phase-in of the STAAR test redesign and ongoing innovative assessment reforms, including the Texas Through-Year Assessment Pilot (TTAP). Recommend ways to accelerate current testing improvement efforts and the development of a real-time testing program that meets the educational needs of Texas students.
3. **COVID-19 Funding Oversight:** Examine and report on COVID-19 and how public schools spent federal funds since the beginning of the pandemic, including funds received under the American Rescue Plan Act (ARPA), with a dual focus on demonstrated improved student outcomes and efficient use of taxpayer funds.
4. **Improving K12-College Pathways:** Review the availability of Advanced Placement and dual credit course offerings in high schools and examine the transfer requirements required for students to receive higher education course credit. Identify the current challenges to streamlining the transfer process, including adequate counseling for high school students. Make recommendations to ensure students receive credit for successful completion of these courses.
5. **Monitoring:** Monitor the implementation of legislation addressed by the Senate Committee on Education passed by the 88th Legislature, as well as relevant agencies and programs under the Committee's jurisdiction. Specifically, make recommendations for any legislation needed to improve, enhance, or complete implementation of the following:
 - a. measures ensuring public school safety;
 - b. oversight of public school library procurement and content policies;
 - c. high-quality instructional materials and open-educational resources for public schools; and
 - d. parent-approved health education.

The Committee engaged with public school districts, higher education institutions, state agencies, and other educational stakeholders to gather insights and develop recommendations for each charge. This report reflects the Committee’s commitment to fostering a robust and accountable education system that meets the needs of Texas students.

Reading and Math Readiness

Study current local, state, and national policies and programs that improve student achievement in reading and mathematics, with an emphasis on “early readiness” in grades Pre-K-5. Make recommendations to ensure every student has a strong academic foundation in reading and math.

Thank You to Our Invited Witnesses

The Senate Education Committee heard testimony regarding this charge on September 18, 2024.

The hearing included invited testimony from the following individuals:

- Shannon Trejo, Deputy Commissioner, Office of School Programs, Texas Education Agency
- Gabe Grantham, Policy Advisor, Texas 2036
- Amber Shields, Managing Director, The Commit Partnership
- Dr. Adrian Bustillos, Chief Transformation Officer, Aldine ISD

Background

The Importance of Early Readiness

Quality early education in reading and math lays the foundation for students’ future academic and personal success. Studies consistently show that strong literacy and numeracy skills acquired in the elementary years are predictive of later academic achievement,¹ graduation rates,² and workforce readiness. Specifically, research demonstrates that children who master foundational reading skills by third grade are more likely to thrive in later subjects as students transition from “learning to read” to “reading to learn.” Similarly, early math proficiency, particularly in basic numeracy and problem-solving, has been linked to improved performance not only in math but also in science and technology subjects. Given that STEM is a growing and lucrative sector of Texas’ economy – with national expectations that jobs will grow by 8% by 2029, outpacing total job growth³ – the ability of Texas to put students on the path to economic success is dependent upon building strong academic foundations in math.

¹ Sparks, R. L., Patton, J., & Murdoch, A. (2014). Early reading success and its relationship to reading achievement and reading Vol.: Replication of ‘10 years later’. *Reading and Writing: An Interdisciplinary Journal*, 27(1), 189–211. <https://doi.org/10.1007/s11145-013-9439-2>

² Hernandez, Donald J. *Double Jeopardy: How Third-Grade Reading Skills and Poverty Influence High School Graduation*. The Annie E. Casey Foundation, 2012.

³ Zilberman, Alan, and Lindsey Ice. “Why Computer Occupations Are Behind Strong STEM Employment Growth in the 2019–29 Decade.” *Beyond the Numbers: Employment & Unemployment*, vol. 10, no. 1, U.S. Bureau of Labor Statistics, Jan. 2021, <https://www.bls.gov/opub/btn/volume-10/why-computer-occupations-are-behind-strong-stem-employment-growth.htm>.

Relevant Legislation

As detailed in the list below, the Texas legislature has passed a variety of relevant policies over the past several decades to support foundational literacy and numeracy development and increase students' early academic readiness:

Legislative Session	Bill	Summary
84R	SB 934	Directed the Texas Education Agency to develop mathematics achievement academies for public school teachers providing instruction to students in kindergarten through third grade.
84R	HB 4	Defined high quality Pre-K standards and provided funding and reporting requirements for districts offering these programs.
86R	HB 3	An omnibus school finance package that established the modern-day school finance system, including targeted funding streams such as the Early Education Allotment and the State Compensatory Education Allotment. The legislation also made reforms in early literacy by requiring certain teachers and school staff to participate in literacy achievement academies, requiring the Science of Teaching Reading exams, and district trustees to adopt both early childhood literacy and mathematics proficiency plans that set goals for student performance in reading and mathematics at each campus. Additionally, the legislation required districts to offer full day Pre-K and created the Additional Days School Year Program.
87R	SB 1267	Made several changes to various educator continuing education and training requirements and repeals outdated training requirements. Additionally, the legislation expanded access to mathematics achievement academies and literacy achievement academies to all teachers and required the Texas Education Agency to study the effectiveness of the mathematics achievement academies.
87R	HB 4545	Established new requirements for accelerated instruction for students beginning with the 2021-2022 school year who do not pass the most recent administration of State of Texas Assessments of Academic Readiness (STAAR). It also creates the

Strong Foundation Grant Program to provide funding both for accelerated instruction and for initial elementary instruction.

88R HB 1605 Changed and expanded the State Board of Education (SBOE) vetting process for instructional materials and includes additional teacher support, parent transparency provisions, and additional funding for SBOE-approved materials and the printing of state-owned materials. Other notable provisions address the addition of a required SBOE-developed vocabulary and book list as part of the English Language Arts and Reading (ELAR) TEKS, grant program supports, and a prohibition on three-cueing in early literacy instruction.

Performance of Pre-K - 5 Students in Reading and Math

Given the work of the legislature, Texas has seen relative growth in early academic performance compared to other states. For instance on the National Assessment of Educational Progress (see table below for rankings over the past several years), between 2017-2022 Texas moved up 9 spots in 4th Grade Reading for all students and 21 spots for EcoDis students. In 4th Grade Math, Texas also increased its ranking by 4 spots for all students and 3 spots for EcoDis.

National Assessment of Educational Progress Proficiency Rates & State Ranking (2017, 2019, 2022)

Assessment	Ranking - All Students (2017)	Ranking - EcoDis Students (2017)	Ranking - All Students (2019)	Ranking - EcoDis Students (2019)	Ranking - All Students (2022)	Ranking - EcoDis Students (2022)
4th Grade Reading	45th	41st	42nd	31st	33rd	20th
4th Grade Math	18th	9th	12th	4th	14th	6th

Despite this relative growth in the critical academic milestone of early reading, Texas still remains in the bottom half of states nationwide and just 30% of Texas students scored at or above ‘Proficient’ on the assessment in 2022. On the other hand in math, although Texas currently ranks 14th for 4th grade performance for all students, that represents just 38% of Texas students scoring at or above ‘Proficient.’ Moreover, that ranking falls to 25th for 8th grade NAEP results, underscoring the need to strengthen academic foundations that solidify later learning in the more advanced middle school years. Additional cohort analyses performed by Texas 2036 reveal that this substantial loss of

proficiency between 4th and 8th grades occurred even prior to pandemic-induced learning in disruptions.

With respect to state-specific data evaluating students’ performance on Texas’ educational standards, annual summative assessment results tell a similar story for needed improvement (see tables below for rates of students on grade-level in reading and math in the STAAR-tested elementary grades). Although literacy scores have largely restored to pre-COVID levels, half or less of all students in grades 3-5 are reading on grade-level. Most recently between 2023 and 2024, 3rd grade reading scores for all students and EcoDis students declined by 2%.

Similar declines were witnessed in 3rd grade math results, with subject-specific proficiency rates still trailing behind pre-COVID outcomes. As of the latest STAAR administration, less than half of all students performed on grade-level in math in 3rd grade, this outcome falling to less than a third for EcoDis students.

STAAR Percent “Meets” or Above (2019 & 2024) - Reading

Assessment	2019 - All Students	2019 - EcoDis Students	2024 - All Students	2024 - EcoDis Students
3rd Grade	43%	33%	46%	36%
4th Grade	43%	32%	49%	39%
5th Grade	51%	40%	53%	42%

STAAR Percent “Meets” or Above (2019 & 2024) - Math

Assessment	2019 - All Students	2019 - EcoDis Students	2024 - All Students	2024 - EcoDis Students
3rd Grade	47%	38%	40%	30%
4th Grade	46%	37%	44%	34%

5th Grade

55%

46%

48%

38%

Given these low proficiency rates and considerably stagnant progress, there is a need for the legislature to give further attention to policies that will ensure every student has a strong academic foundation in reading and math.

Findings & Analysis

Historic Difficulty in Supporting Academically Behind Students & Necessary Components for Future Success

As the student outcomes data detailed above indicates, a large percentage of Texas students are moving from elementary school to middle school without demonstrating grade-level proficiency. Unfortunately, a longitudinal analysis performed by the Commit Partnership across various cohorts (both pre and post-COVID) shows the historic difficulty Texas has in catching up academically-behind students following elementary school by the end of the next grade. Across school years 2017-2018, 2018-2019, and 2021-2022 between 8% and 15% of 5th grade students were not meeting grade level expectations in Reading and accelerating to grade level by 6th grade. In math across these same school years, between 13% to 15% of 5th grade students accelerated to grade level by 6th grade..⁴

Additional longitudinal analyses reveal that this trend actually starts earlier on than 5th grade: Texas schools struggle to accelerate students to be on grade level by the end of 6th grade, even when they have multiple years to catch students up after they fall behind (starting in 3rd grade). Specifically, of students who did not meet grade-level reading expectations in 3rd grade in 2019, only 1 in 5 (18%) caught up to perform at grade level in 3 years by 6th grade. 1 in 10 (13%) caught up in math between those same years.

Although Texas has historically struggled to accelerate academic outcomes, fortunately, several evidence-based practices provide guidance on a direction to better support success in the future. Testimony submitted to the Committee emphasized that this trend in the data underscores the need for Texas to focus legislative attention not only on accelerating learning for students who do not pass STAAR (as supported by the policy framework passed by this Committee in HB 1416, 88R), but also on shoring up the quality of instruction and educational supports provided prior to the end of 3rd grade to maximize taxpayer investments and spend resources more effectively before supports become more expansive and costly later on in students' academic journeys. Specifically, TEA offered insights for the Committee's consideration on the comprehensive package of components necessary for ensuring these strong foundations:

- 1) Effective tier 1 instructional materials

⁴ Reading and Math Readiness Charge: Hearing Before the Senate Committee on Education, 88th Interim (Texas, 2024) (testimony of Amber Shields, Managing Director, The Commit Partnership).

- 2) Effective tier 1 instruction (well trained teachers, well supported teachers)
- 3) Aligned foundational diagnostics in reading and math
- 4) Effective intervention structures
- 5) Effective early learning access

Early Learning Access (Pre-K)

As acknowledged by TEA, effective early learning access (especially for the student groups eligible for Pre-K) is a critical lever in supporting school readiness, which enables students' to acquire foundational knowledge and skills in the first few years of school. An analysis presented to the Committee reveals that as of school year 2022-23, eligible Texas students who attend Pre-K are nearly two times more likely to be Kindergarten Ready than their peers who are eligible but do not attend. With an estimated 44% of Pre-K eligible students (including 3 and 4 year olds) enrolled as of school year 2022-23 (and variation in enrollment rates across the state) and just 52% of students entering Kindergarten Ready in school year 2023-24, there is continued need for strategies to expand access to and resources for quality early learning programs.⁵

Quality K-3 Instruction

Invited and submitted testimony emphasized the critical importance of sustaining progress gained from quality early learning in Pre-K through the continuation of quality instruction and effective student academic supports in Kindergarten and beyond. Given that Texas has recently passed several policies to improve tier 1, whole class, instructional materials (as detailed above with HB 1605), interim hearing conversations captured the importance of ensuring early grade teachers are effectively equipped and supported to provide this high-quality instruction. Statue established both reading and math academies to train educators in the knowledge and skills necessary for evidence-based instructional practices such as the Science of Teaching Reading. Since required by HB 3 (86R), 132,000 K-3 teachers and 9,000 administrators have completed the Reading Academies, while 28,000 K-3 teachers have completed the optional Math Academies.⁶ Witnesses shared that to ensure desired outcomes, Texas must continue to monitor the effectiveness and implementation quality of Reading Academies. Additionally, given that only 36% of Texas elementary and middle school principals report that all or almost all of their math teachers demonstrate deep knowledge of math pedagogy, and just 5 percent more have a deep knowledge of math, further work is necessary to ensure teachers are incentivized and resourced to get quality math training such as via the Math Academies (pending TEA's efficacy study).⁷

⁵ Ibid.

⁶ Reading and Math Readiness Charge: Hearing Before the Senate Committee on Education, 88th Interim (Texas, 2024) (testimony of Shannon Trejo, Deputy Commissioner, Office of School Programs, Texas Education Agency).

⁷ Kaufman, Julia H., Lauren Covelli, and Pierce Holmes. *Elementary and Middle School Opportunity Structures That Factor into Students' Math Learning: Findings from the American Mathematics Educator Study*. RAND Corporation, 2024, https://www.rand.org/pubs/research_reports/RRA2836-2.html.

Evidence highlighted by the TEA also points to the need to support early grade teachers not just with professional development training, but ongoing instructional coaching and support, including job-embedded coaching, observation & feedback, and sufficient time for planning and reflection. Research suggests that the difference in the quality of instruction between teachers with instructional coaches and those without was equivalent to the difference between novice teachers and teachers with five to 10 years of experience.⁸ According to ExcelinEd, currently 26 other states have a state-level policy regarding instructional coaching, but Texas is not one of them.⁹

Progress Monitoring to Screen for Learning Gaps

Additionally, interim hearing discussions centered on the opportunity for Texas to develop a more robust policy framework for identifying and supporting individual student learning gaps. Specifically, the Committee learned that to ensure students are developing early literacy and numeracy skills effectively, educators must monitor student progress to inform instruction and support. The current statutory & administrative framework in Texas (as pictured in the table below provided by the TEA) falls short of understood best practices.

Current statutory & administrative framework

	Literacy	Numeracy
Pre-K	Approved Tools: 7 options vetted, but none focused on vocabulary Instrument Results: Available at State Level (BOY and EOY for growth)	
Kinder	Approved Tools: 2 options (excl vocab) vetted Instrument Results: State level (BOY)	
First	Approved Tools: 3 options (excl vocab) vetted Instrument Results: Available at District Level	
Second	Approved Tools: 3 options (excl vocab) vetted Instrument Results: Available at District Level	
Third	Approved Tools: Interims for breadth of TEKS but not foundational skills Instrument Results: Available at District Level	

With respect to early literacy, effective progress monitoring (“universal screening”) is highlighted by ExcelinEd as a national policy best practice. TEA shared that this practice should take place at the beginning, middle, and end of each school year and align with foundational academic literacy skills such as phonics/fluency, vocabulary, and writing & spelling, as well as screen for dyslexia. Although Kindergarten Readiness assessments and 3rd grade STAAR offer bookend snapshots of students’ literacy development and district-adopted measures offer additional insights, Texas lacks valid, reliable progress monitoring data for students throughout the rest of their K-3 academic journeys.

⁸ Kraft, Matthew A., and David Blazar. "Taking Teacher Coaching to Scale: Can Personalized Training Become Standard Practice?" *Education Next*, vol. 18, no. 4, Fall 2018, pp. 68–74. https://www.educationnext.org/wp-content/uploads/2022/01/ednext_xviii_4_kraft_blazar.pdf.

⁹ "Early Literacy Matters: Literacy Map." ExcelinEd, 2024, <https://earlyliteracymatters.org/literacy-map/>. Accessed 9 Dec. 2024.

Considering just 1st and 2nd grades alone, this means the state lacks sufficient visibility for how best to support the nearly 800,000 students (as of school year 2023-24) enrolled in those grades.¹⁰

Research finds that math achievement in early grades is predictive of later achievement.¹¹ Despite the importance of early math development in solidifying students' concrete numeracy and problem-solving skills, Texas has also historically lacked a statewide strategy to identify students with learning deficiencies and provide them support before the 3rd grade. While Texas has identified some tools to build upon for monitoring literacy at a local level, the same attention has not yet been given to mathematics. This lack of progress monitoring leaves parents and teachers in the dark as to how their students and children are performing in math.

The Committee was particularly interested in the impact of current policy on parents' ability to make data-informed decisions to support students' learning prior to 3rd grade. Without reliable progress monitoring data provided to parents in the early grades, parents lack an accurate measure of their students' academic progress. Notably, Learning Heroes & Gallup data suggest 9 in 10 parents believe their child is performing on grade level in reading and/or math, when student outcomes data (as detailed above) show that is not a true representation of grade-level proficiency rates.¹² Timely and comprehensive parental notification including resources to support at-home learning are thus additional identified best practices.

Testimony highlighted that some North Texas districts are recognizing the importance of this data to drive strategic decision making. Building on the 3rd grade goals required by HB 3 (86R), these school boards are utilizing progress monitoring data to systemically track academic growth in K-2 towards set "Goal Progress Measures."

Interventions and Evidence-Based Programming to Accelerate Outcomes

Progress monitoring can also guide classroom instruction and inform supplemental evidence-based interventions to effectively fill individual students' gaps and accelerate their learning. Specifically with early literacy, meta-analysis research shows that providing quality, targeted interventions and tutoring is an effective practice to get students back on track.¹³ For example, a study conducted with one school system in North Texas found that when they offered struggling students high-quality

¹⁰ "2023-2024 Student Enrollment: Statewide Totals." Texas Education Agency, 2024, https://rptsvr1.tea.texas.gov/cgi/sas/broker?_service=marykay&_program=adhoc.addispatch.sas&major=st&minor=e&charsln=120&linespg=60&loop=1&countykey=&oldnew=new&_debug=0&endyear=24&selsumm=ss&key=TYPE+HERE&grouping=g+&format=W. Accessed 9 Dec. 2024.

¹¹ Watts, Tyler W., et al. "What's Past Is Prologue: Relations Between Early Mathematics Knowledge and High School Achievement." *Educational Researcher*, vol. 43, no. 7, Oct. 2014, pp. 352–360. PubMed Central, doi:10.3102/0013189X14553660. Accessed 11 Dec. 2024.

¹² Gallup and Learning Heroes. *B-flation: How "Good" Grades Can Sideline Parents*. Gallup, Inc., 2023. Accessed 9 Dec. 2024.

¹³ Novicoff, Sarah, and Susanna Loeb. "Lessons from the Early Literacy Tutoring Landscape." *Phi Delta Kappan*, vol. 106, no. 1, 26 Aug. 2024, pp. 32-36. Kappan Online, <https://kappanonline.org/lessons-from-the-early-literacy-tutoring-landscape/>. Accessed 9 Dec. 2024.

interventions—short targeted sessions a few times a week focused on foundational literacy skills – student outcomes grew. This study found that improvements were greatest for students furthest behind at the beginning of the intervention as well as those who were provided this tailored support earlier on in their academic experience.¹⁴ Early intervention in math is also key to ensure that every student has the academic foundations needed to be successful and reduce costly interventions later on. TEA highlighted that further investment in interventionist and teacher capacity would enable Texas to better and more consistently provide these types of interventions to students with the greatest gaps.

The Committee also heard about how the Additional Days School Year program (ADSY) can support the acceleration of learning outcomes and close achievement gaps. ADSY as established by House Bill 3 (86R) provides half-day formula funding for school systems that want to add up to 30 instructional days beyond a minimum base calendar of 180 days to any of their elementary schools (grades Pre-K-5). Schools can draw down ADSY funding to support lengthened school calendars through a summer learning, intercessional, or full year redesign model. Data from the first few years of ADSY implementation show promising results in terms of the program’s efficacy in improving student academic success in the early grades, particularly in mathematics.

For example, Aldine ISD is implementing a full-year redesigned instructional calendar on four of their campuses. Adrian Bustillos the district’s Chief Transformation Officer shared that ADSY days operate on a different schedule from school days with dedicated blocks that specifically prioritize learning acceleration. On one of their first campuses to implement ADSY not only has the school received positive feedback from students, teachers, and families, but the outcomes data is bearing out: from 2021 to 2023 the percent of students performing on-grade-level in math in 3rd-5th grades increased by 25 percentage points. Analyses conducted by TEA reveal a similar positive statewide trend. Overall, the agency has found that students participating in ADSY begin with lower baseline STAAR performance compared to the state average, suggesting that the program is reaching students who could benefit from extended learning time. In spite of this lower initial performance, ADSY students see greater gains compared to their non-ADSY peers. While the percent of non-ADSY participants scoring “Meets” or higher on Math STAAR increased just 2 ppts between 2022 and 2023, this same percentage increased 10 ppts for students in ASDY models supported by the state planning program, and 5 ppts for all students participating in other ADSY models. Notably, results from campuses with students attending the most ADSY days – greater than 25 – are seeing outsized year-over-year performance gains in Math (+17 ppts).

In school year 2022-2023, there were 91 LEAs and 388 campuses leveraging the ADSY program, with just a small percentage of participating students attending the most additional instructional days

¹⁴ Loeb, Susanna, et al. "The Effects of Virtual Tutoring on Young Readers: Results from a Randomized Controlled Trial." *National Student Support Accelerator*, Oct. 2023, <https://studentsupportaccelerator.org/briefs/effects-virtual-tutoring-young-readers>. Accessed 9 Dec. 2024.

(10+).¹⁵ Many more school systems have expressed interest in participating in the program to close achievement gaps in the early academic years but struggle to meet the required base calendar requirement given that a large proportion of elementary schools in the state have base calendars closer to 170 days, according to TEA data.

Additional Legislative Discussion

With respect to this charge, members engaged with witnesses on potential policy solutions and expressed strong interest in learning about strategies proven to increase proficiency rates and equip additional stakeholders, such as parents and school system leaders, with adequate information to support learning. More broadly, the interim hearing revealed members' ongoing concerns regarding Texas' educational outcomes and the poor year-over-year proficiency rates beginning in the early grades which are resulting in a limited proportion of young Texans qualified for opportunities after high school. In this discussion and his presentation on the State of Education in Texas, Commissioner Morath highlighted the importance of performance information on schools and districts to improve educational opportunities and academic outcomes. Several members of the Committee expressed concern over the lack of state-issued accountability ratings over the past two years given pending litigation and acknowledged the need for transparent data to drive effective decision making in support of students achieving reading, math, and ultimately postsecondary readiness.

Recommendations

Based on the findings and analysis conducted over the interim, the Committee recommends to:

1. Reinstate the release of annual A-F accountability ratings to campuses and school systems to ensure transparency of education outcomes that allow for responsive decision-making and resource allocation to improve student achievement.
2. Strengthen Texas' policy framework regarding early progress monitoring to ensure school systems utilize valid and reliable screening and diagnostics to identify reading and math learning gaps in K-3, followed by:
 - a. Timely parent notification with reliable information on their student's progress and resources to effectively support at-home learning
 - b. Providing targeted, research-based support and high-quality interventions to struggling students to get them back on track academically
 - c. Providing teachers across foundational subjects in reading and math with additional resources such as data literacy training, instructional coaching, and intervention training and capacity supports

¹⁵ Texas Education Agency. *ADSY: Summer Learning 2024*. Texas Education Agency, 2024, <https://tea.texas.gov/texas-educators/superintendents/adsy-summer-learning-2024.pdf>. Accessed 9 Dec. 2024.

3. Expand access to high-quality professional development for math teachers, by scaling or providing appropriate incentives for participation in Math Academies.
4. Expand the Early Education Allotment so that Pre-K 3 & 4 students generate the weight (in addition to K-3 students as is currently in statute), to provide school systems more resources for evidence-based acceleration strategies from Pre-K to 3rd grade.
5. Expand the Additional Days School Year Program (ADSY) and ease barriers to entry to allow more school systems to participate, accelerate student learning, and close academic achievement gaps by:
 - a. Allowing middle schools to be eligible in addition to elementary campuses
 - b. Incentivizing schools to offer more extended learning time by providing additional resources to those providing students the most additional days
6. Increase the weights for the State Compensatory Education Allotment so that evidence-based learning acceleration supports can be provided to students furthest behind.

Testing Reform

Review the state's current development and phase-in of the STAAR test redesign and ongoing innovative assessment reforms, including the Texas Through-Year Assessment Pilot (TTAP). Recommend ways to accelerate current testing improvement efforts and the development of a real-time testing program that meets the educational needs of Texas students.

Thank You to Our Invited Witnesses

The Senate Education Committee heard testimony regarding this charge on September 18, 2024.

The hearing included invited testimony from the following individuals:

- Mike Morath, Commissioner, Texas Education Agency
- Kim Johnston, Director of Curriculum, Midway ISD
- Tiffany Harrod, Executive Director of Assessment, International Leadership of Texas
- Dr. Rob Bostic, Superintendent, Stafford MSD

Background

Since the inception of standardized testing in Texas, beginning with the Texas Assessment of Basic Skills (TABS) in the early 1980s, assessments have evolved in response to growing demands for accountability and the need for accurate data on student learning. The Texas Assessment of Academic Skills (TAAS), introduced in the 1990s, was succeeded by the Texas Assessment of Knowledge and Skills (TAKS) in 2003. Each iteration aimed to better measure student knowledge and preparedness for post-secondary success, culminating in the State of Texas Assessments of Academic Readiness (STAAR), which was implemented in 2012 to evaluate Texas education standards and promote college and career readiness.

State assessments play a pivotal role in Texas education, as they allow for the identification of areas where students are excelling as well as where additional support is needed. Testing serves as a reliable method to understand if all students, regardless of background or school district, are meeting Texas' academic standards.

Recent Testing Legislation

**Legislative
Session**

Bill

Summary

- 84R** **HB 743** Passed in 2015, HB 743 required independent verification of state assessments for validity and reliability. It set time limits for STAAR tests (120 minutes for grades 3-5, 180 minutes for grades 6-8, max 8 hours total) and mandated a TEA study on curriculum standards. The bill also required TEA to audit assessment vendors regularly to ensure contract compliance.
- 86R** **HB 3** HB 3 required a study to evaluate if STAAR tests for grades 3-8 matched appropriate reading levels and aligned with Texas curriculum standards, focusing on test relevance for younger students.
- 86R** **HB 3906** HB 3906 reformed the assessment program by removing mandatory writing tests (starting 2021), allowing multi-part test administration, and capping multiple-choice questions. It required a transition to online testing by 2022-2023, introduced optional interim tests, and launched a TEA through-year assessment pilot with advisory committee guidance.

STAAR Redesign

As indicated above, as a result of legislative directives in House Bill 3906 (86R) TEA redesigned the STAAR test with the aim of aligning stronger instructional practices. Specifically, in addition to transitioning to being administered fully online, the TEA highlights that the STAAR test was adjusted in four key ways: 1) introduction of cross-curricular passages, 2) inclusion of writing in all reading tests, 3) addition of non-multiple choice constructed response questions, and 4) improvements in test accommodations for students with specific learning needs. The redesigned test was informed by stakeholder feedback including student focus groups and was fully rolled out across the state for the spring 2023 STAAR administration. Compared to other states in the country such as California, Oklahoma, Kentucky, and Rhode Island, following the redesign STAAR scores are now released more quickly after testing. TEA also releases the test questions and the Family Portal provides robust information about student scores, answers, and additional resources.

Through-Year Assessment Pilot

The Texas Through-Year Assessment Pilot (TTAP) is an innovative program additionally developed by the TEA under HB 3906 (and recommended by the Texas Commission on Next Generation Assessments and Accountability) to explore replacing the STAAR test with a through-year assessment model. TTAP offers multiple shorter testing opportunities throughout the year (“Opportunities” in the fall, winter, and spring) for students to demonstrate mastery of grade-level standards, with the goal of results contributing to an end-of-year summative performance score. District participation in the pilot is optional and complements current end-of-year STAAR assessments by providing additional progress-tracking data. In this way, TTAP is responsive to stakeholder feedback that state testing should provide more real-time data to inform classroom

instruction and minimize student testing anxiety by providing students multiple opportunities to show what they are learning.

Like STAAR, TTAP assessments are aligned with the Texas Essential Knowledge and Skills (TEKS) and have thus far been developed in subjects like math, science, and social studies across specific grades (see table below for the specific grades/subjects offered by pilot year). As TTAP assessments are administered multiple times throughout the year, each test offers the same types of questions STAAR does but is proportionally shorter and utilizes an adaptive methodology.

TTAP, Grades & Subjects Offered by Pilot Year

Pilot Year	Grades/Subjects Offered
1 (SY22-23)	<ul style="list-style-type: none">● Grade 5 Science● Grade 6 Math● Grade 7 Math● Grade 8 Social Studies
2 (SY23-24)	<ul style="list-style-type: none">● Grade 5 Science● Grade 6 Math● Grade 7 Math● Grade 8 Social Studies
3 (SY24-25)	<ul style="list-style-type: none">● Grade 3 Math● Grade 6 Math● Grade 7 Math● Grade 8 Social Studies● Grade 8 Math

Since the launch of the pilot in 2022, over 11% of Texas school systems have participated, including 144 districts across 19 of the state’s 20 educational service center regions. In the pilot’s first year, 121 school systems participated and the following year 93 participated with 70 of those returning from the prior year. Approximately 65,000 students participated in the pilot in the first year. In the 2023-2024 school year, the number of students participating varied by grade and subject with almost 6,000 students taking all three learning opportunities in Grade 7 Math and over 22,000 students taking all three learning opportunities in Grade 8 Social Studies. That school system and student participation largely mirrors statewide demographics and population characteristics means that pilot findings are likely representative of broader statewide insights regarding this innovative testing model.

In TTAP's initial development, several questions were considered regarding the tests' design including computer-adaptivity methods and curricular alignment/scope, with the pilot's design informed by stakeholder input from over 1,500 superintendents and testing coordinators, as well as 250 teachers, parents, and students. The pilot ultimately seeks to understand if there is validity for a through-year assessment model to enhance the student testing experience while comparably meeting the objectives of STAAR. At the conclusion of the multi-year pilot, Texas hopes to understand if this model could serve both for progress monitoring purposes (as an interim assessment) as well as for measures such as state accountability (as a summative assessment).

Finding & Analysis

Texas Through-Year Assessment Pilot (TTAP) Year 1 Pilot Report

In 2024, TEA published and shared with the legislature a report outlining findings from the pilot's first year of implementation. At the hearing, Commissioner Morath overviewed the report's included details on stakeholder feedback, results from psychometric and statistical analyses, and potential paths forward for the state to consider as the pilot continues.

With respect to internal analyses, evidence indicates that TTAP continues to show promise as a model for state consideration. TEA found that TTAP Opportunity 3 (the spring assessment) results in comparable accuracy of student performance as the current end-of-year STAAR. Utilizing the spring assessment as the final summative score, however, was just one of the eight scoring models the agency reviewed given the pilot's data and simulated scores from its first year. TEA acknowledged that stakeholders continue to express interest in a different "help-not-hurt" model that better incorporates results from all three testing opportunities but that this scoring method would require additional evaluation to determine feasibility and would also necessitate lengthening the assessments in the fall and winter administrations.

The agency also found that item-level computer adaptive tests (CAT) only had marginal benefits compared to the less expensive and operationally simpler multi-stage adaptive model currently used. Additional lessons learned include the inability to scale TTAP to STAAR Alternate 2 and STAAR EOCs as well as the need to better answer questions about the validity of the model for certain subjects, especially those like Reading Language Arts that remain unpiloted.

Overall, the initial results of the pilot present two potential paths forward for consideration with respect to developing more innovative testing models in Texas:

- 1) Continue refining TTAP as planned for the next several years to better understand the pilot's viability to replace STAAR, assessing the stability of findings longitudinally, exploring the feasibility of other cumulative scoring methodologies, studying suitability for state accountability calculations, and expanding to additional subjects and student groups. TEA notes that at least 2-3 more years of pilot data is necessary before a determination of the

technical feasibility could be made and a legislative directive could be passed to scale the model statewide.

- 2) Given that the spring assessment produced comparable results to the end-of-year STAAR, while being 15% shorter in length, the state could consider an alternative option as well. This would consist of a shorter end-of-year summative test (reduced by 11-30 percent or 30 minutes) in conjunction with an updated interim assessment model that takes place throughout the year, is optional for school systems, explores additional adaptivity tailored to student performance, and prioritizes training and guidance so results can inform progress monitoring. This alternative model could be implemented as soon as Spring 2026.

Additional Considerations from TTAP Participating School Systems and Legislative Discussion

As the state weighs possible directions for future action, participant feedback in the pilot offers additional insights into how the innovative model(s) can positively evolve Texas’ assessment system. Invited testimony from school system leaders as well as stakeholder input collected by TEA illustrates user advantages and considerations with the TTAP model as evaluated in the pilot thus far (see chart below overviewing feedback highlighted by 3 school system leaders at the interim hearing).

Pilot Model Advantages	Pilot Model Considerations
<ul style="list-style-type: none"> - Aligned with STAAR performance - Appropriate length and rigor - Multiple assessment opportunities - Constructed response practice - Progress monitoring to tailor instruction and meet individual student needs, emphasizing a focus on student growth - Feedback via comprehensive reports and analysis tools that enable year-long information and engage teachers - Reduction in stress testing for students and teachers - Embedded practice and trial runs for students and teachers - Professional development training for admin and teachers 	<ul style="list-style-type: none"> - Limited question access which hindered analysis for instructional improvement and alignment with curriculum - Limited information on printable reports regarding TEKS breakdowns - Ongoing challenges with scheduling and instructional disruptive despite shorting tests - Test fatigue from additional assessments combined with other test - Modification of Teacher Incentive Allotment plans to meet TTAP requirements

Members expressed particular interest in the potential of through-year assessments to reduce testing-induced stress, offer a better testing experience, maintain the benefits of the current STAAR test, and provide teachers with resources and support for not only administering the assessments but

following up with targeted student interventions. Questions about how to resolve ongoing participant challenges – such as accessing test question details with results – and ensuring an adequate balance between local control of curriculum scope and through-year testing validity were also raised in addition to considerations regarding how to logistically scale the pilot statewide. Overall, members commended the work and responsiveness of TEA on TTAP thus far and testimony underscored that with ongoing refinement and additional efforts, TTAP and the alternative models illuminated by its findings are setting the stage to build off the strengths of the current system and improve educational assessment in Texas.

Recommendations

Based on the findings and analysis conducted over the interim, the Committee recommends:

1. Continuation of the Texas Through-Year Assessment Pilot to evaluate remaining questions and feasibility of applying evaluations statewide, and consideration of potentially implementing and scaling the alternative model identified by TEA.
2. Maintenance of a valid and transparent summative testing system that evaluates student proficiency on Texas' educational standards and provides critical insights to inform instructional practices. Consider reforms to reduce the length of summative assessments and enhance the current optional interim assessments to assess and monitor student learning.

COVID-19 Funding Oversight

Examine and report on COVID-19 how public schools spent federal funds since the beginning of the pandemic, including funds received under the American Rescue Plan Act (ARPA), with a dual focus on demonstrated improved student outcomes and efficient use of taxpayer funds.

Thank You to Our Invited Witnesses

The Senate Education Committee heard testimony regarding this charge on September 18, 2024.

The hearing included invited testimony from the following individuals:

- Cory Green, Associate Commissioner for Grants Administration, Texas Education Agency
- Andrew Hodge, Associate Commissioner, System Innovation, Texas Education Agency
- HD Chambers, Executive Director, Texas School Alliance
- David Pate, Chief Financial Officer, Richardson ISD
- Dr. James Terry, Chief Financial & Operations Officer, Houston ISD
- Josh McGee, Endowed Chair in Education Accountability and Transparency, University of Arkansas
- Jorge Borrego, Education Policy Director, Texas Public Policy Foundation

Background

During the COVID-19 pandemic, federal relief efforts provided unprecedented funding to support public education through the Coronavirus Aid, Relief, and Economic Security (CARES) Act, the Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act, and the American Rescue Plan Act (ARPA). These three federal bills allocated billions in Elementary and Secondary School Emergency Relief (ESSER) funds.

Federal COVID-19 Relief Legislation for Education

Federal Bills	Purpose	Funding Programs
CARES Act	Emergency relief for immediate COVID-19 response	ESSER I, GEER
CRRSA Act	Additional COVID-19 relief and support for schools	ESSER II
American Rescue Plan Act (ARPA)	Long-term recovery and learning loss recovery	ESSER III, Supplemental ESSER

The bulk of ESSER funds (90%) were directly allocated to Local Education Agencies (LEAs) based on statutory formulas, with 9.5% set aside for state-directed discretionary programs and 0.5% for administrative expenses.

Allocation of ESSER Funds

Allocation Category	Percentage of Total Funds	Purpose
Local Education Agencies (LEAs)	90%	Direct support based on statutory formulas
State Discretionary Programs	9.5%	State-directed initiatives (e.g., learning recovery)
Administration	0.5%	Administrative costs across programs

Allowable uses for ESSER funds under these laws included pandemic response, targeted student services, and any activities covered under existing federal programs, such as ESEA and IDEA. State discretionary funds were directed towards high-impact initiatives determined by Texas, including learning recovery and technical assistance.

ESSER Funds Overview (as of 9/4/2024)

ESSER Phase	Total Awarded	Drawn Down to Date	Remaining Funds	Funding Expiration
ESSER I (CARES)	\$1.157B	\$1.157B	\$0	Sept. 30, 2022
ESSER II (CRRSA)	\$4.978B	\$4.970B	\$8.2M	Sept. 30, 2023
ESSER III (ARPA)	\$11.183B	\$10.353B	\$830.1M	Sept. 30, 2024
Total	\$17.318B	\$16.480B	\$838.5M	

The Texas Education Agency reports that, as of September 2024, most ESSER funds have been drawn down by LEAs, with only a small amount remaining. These funds have a five-year expenditure window, with final deadlines approaching in 2023 and 2024, depending on the funding phase.

Legislative Oversight

Texas House Bill 1525 provided additional oversight to ensure that federal relief funds were allocated transparently and aligned with Texas educational priorities, focusing on enhancing student outcomes and prudent use of taxpayer dollars.

One-Time Expenditures

*As of June 6, 2022	ESSER I (CARES)	ESSER II (CRRSA)	ESSER III (ARP)	GEER	Total
Direct Payments to School Systems (TEC 29.930)	\$2.5 M	\$3.0 M	\$231.8 M		\$237.3 M
Operation Connectivity (TEC 29.931 & 932)	\$76.7 M	\$321.5 M	\$3.6 M		\$401.8 M
SSES (TEC 29.041 – 29.048)			\$5.5 M	\$61 M	\$66.5 M
TCLAS (TEC 29.929)	\$42.9 M	\$198.8 M	\$939.7 M		\$1,181.4 M
Charter Replication (GEER)				\$10 M	\$10 M
Grand Total	\$122.1 M	\$523.3 M	\$1,180.6 M	71 M	\$1,897 M

Finding & Analysis

Examination of Expenditures

Corey Green, Associate Commissioner for Grants Administration, Texas Education Agency (TEA), began testimony with a summary of the different COVID-19 related funds (ESSER I- III passed under the CARES Act, the CRRSA Act, and the ARPA), their purposes, and their allowable expense categories.

According to Associate Commissioner Green, of the \$17.31 Billion awarded to local education agencies, 38.6% of the COVID-19 funds were used for recurring expenditures, and 36.7% was used for one-time expenses. For 24.7% of the categories, it was not possible to categorize the spending at the time of the September hearing. Further analyzing the COVID-19 funding-related expenditures, Associate Commissioner Green showed that 12.3% or \$1.46 billion in staff modeling and planning support, 11.0% or \$1.31 billion on teacher pay increases, and 12.1% or 1.43 billion on additional teachers for all of the COVID-19 funds.

While the figures given by the associate commissioner provided context on the aggregated expenditures for the school years 2021, 2022, 2023, and 2024, a closer analysis can be extracted by utilizing TEA’s Public Education Information Management System (PEIMS).

An examination of the expenditure categories reported through the PEIMS financial reports allows for an examination of the revenue totals and expenditure categories by year. According to the PEIMS Report¹⁶, Texas schools received more than \$10 billion in additional federal aid during the 2021, 2022, and 2023 school years (Table 1).

Table 1
TEA Reported Revenues & Expenditures

School Year	Total Revenue (Object Code 5000s & 7000s)	Total Expenditures (Object Code 6000s & 8000s)
2021	\$580,832,049	\$584,263,265
2022	\$4,496,597,582	\$4,496,895,188
2023	\$5,007,202,099	\$4,962,445,995

In all three years, the top three expenditure categories were salaries for teachers and professionals, general supplies, and salaries for support personnel. Tables 2 – 4 show the ten largest expenditure categories for each school year.

Table 2
Top Ten Categories, 2021

Expenditure Categories	Total
General Supplies	\$279,846,538
Salaries or Wages for Teachers & Other Professional Personnel	\$158,120,216
Fixed Assets - Other	\$36,423,670
Utilities	\$24,538,040
Miscellaneous Contracted Services	\$15,498,547
Salaries or Wages for Support Personnel	\$11,779,061
Furniture, Equipment, and Software	\$7,906,304
Supplies for Maintenance and/or Operations	\$7,152,494
Group Health & Life Insurance	\$6,984,953
Operating Transfers Out	\$5,408,319

Table 3
Top Ten Categories, 2022

Expenditure Categories	Total
Salaries or Wages for Teachers & Other Professional Personnel	\$2,193,774,404
General Supplies	\$597,194,661
Salaries or Wages for Support Personnel	\$339,416,862
Miscellaneous Contracted Services	\$230,452,002

¹⁶ Texas Education Agency. (n.d.). *PEIMS access database financial data downloads*. <https://tea.texas.gov/finance-and-grants/state-funding/state-funding-reports-and-data/peims-access-database-financial-data-downloads>

Group Health & Life Insurance	\$159,882,559
Teacher Retirement/TRS Care	\$158,288,389
Building Purchase, Construction or Improvements	\$116,259,032
Furniture, Equipment, and Software	\$82,342,851
Contracted Maintenance and Repair	\$69,924,745
Extra Duty Pay/Overtime for Support Personnel	\$67,674,908

Table 4
Top Ten Categories, 2023

Expenditure Categories	Total
Salaries or Wages for Teachers & Other Professional Personnel	\$2,301,659,432
General Supplies	\$552,984,308
Salaries or Wages for Support Personnel	\$391,446,916
Miscellaneous Contracted Services	\$304,204,079
Building Purchase, Construction or Improvements	\$255,891,376
Teacher Retirement/TRS Care	\$199,713,865
Furniture, Equipment, and Software	\$153,614,480
Group Health & Life Insurance	\$141,527,879
Vehicles per Unit Cost of \$5,000 or More	\$63,922,881
Extra Duty Pay/Overtime for Support Personnel	\$59,666,714

As these tables show, a substantial portion of COVID-19 funds were used for recurring expenses such as salaries, payments to TRS, and payments to health insurance. As the data from both the associate commissioner and the PEIMS report show, much of the salaries expended for teachers and other professionals represent new salaried positions. This is further corroborated by the TEA’s staff FTE counts and salary reports.¹⁷ As the staff report shows, there was a 15-percentage point increase in new administrative FTEs and a two-percentage point increase in new Teacher FTEs between the 2020 and 2023 school years.

Impact on Student Outcomes

The Committee heard testimony from Andrew Hodge, Associate Commissioner, System Innovation, Texas Education Agency who reported on the impact of COVID-19 funds on student outcomes. Associate Commissioner Hodge discussed the complexity of extracting data specific to the local education agency’s implementation of funds on a local level. Fortunately, the TEA was able to collect data from state-level discretionary spending.

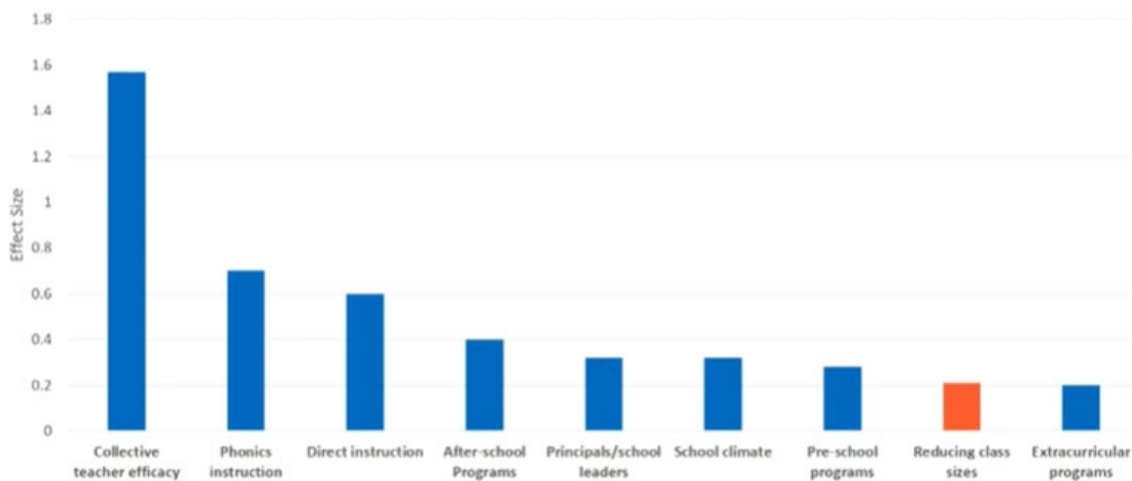
Associate Commissioner Hodge identified four studies that provided some insight into how teacher pay increases impacted student performance. The first study, examining the link between teacher wages and student outcomes: The importance of alternative labor market opportunities and non-

¹⁷ Texas Education Agency. (2023). Staff FTE Counts and Salary Reports. <https://rptsvr1.tea.texas.gov/adhocrpt/adpeb.html>.

pecuniary variation¹⁸, found that after adjusting for labor market factors, the researchers estimated raising teacher wages by 10% reduced high school dropout rates by 3% - 4%. Another study cited *The Effects of Comprehensive Educator Evaluation and Pay Reform on Achievement*¹⁹, found that after implementing a performance-based compensation model, Dallas ISD outpaced a synthetic control group of 20 similar districts in math achievement gains by 0.2 standard deviations. The final two other studies found similar findings of modest performance increases correlated with teacher pay increases.

Associate Commissioner Hodge proceeded to focus his testimony on the effects of reducing class size on student achievement. His testimony showed that reducing class size had a small to moderate positive impact on student achievement. The handout provided by Hodge showed that changes such as phonics instruction, direct instruction, after-school programs, principal and school leaders, school climate, and pre-school programs each had a more pronounced positive effect on student achievement than reducing class size.

Studies: Reducing class size has a small to moderate impact on student achievement



One interesting find that Associate Commissioner Hodge presented came from the RAND corporation which found that summer programs with specific parameters (class sizes of 1:15 or

¹⁸ Loeb, S., & Page, M. (2000). *Examining the link between teacher wages and student outcomes: The importance of alternative labor market opportunities and non-pecuniary variation*. Stanford Center for Education Policy Analysis. <https://cepa.stanford.edu/content/examining-link-between-teacher-wages-and-student-outcomes-importance-alternative-labor-market-opportunities-and-non-pecuniary-variation>.

¹⁹ Hanushek, E., Luo, J., Morgan, J., Nguyen, M., Ost, B., Rivkin, S., & Shakeel, A. (March 2023). *The Effects of Comprehensive Educator Evaluation and Pay Reform on Achievement*. Nation Bureau of Economic Research. <https://www.nber.org/papers/w31073>.

smaller, certified teachers teaching academics for 3 hours at least a day, high-quality enrichment activities, and meals & transportation was provided) lead to a 15% annual gains in Math after summer and 20 - 25% of annual gains in Mathematics and Language Arts gain after two summers.

Through the Texas COVID-19 Learning Acceleration Supports (TCLAS) funds, the state targeted its discretionary spending in proven strategies that lead to strong outcomes such as strategic planning, instructional materials, teacher pipelines, and more instructional time. One such area of investment was in TCLAS support for the High-Quality Instructional Materials (HQIM) Tier 1. Beginning in the 2021 - 2022 school year, Lubbock ISD (LISD) piloted the HQIM materials and training in 4 elementaries and covering all 28 elementaries in LISD by the end of the 2024 school year. The HQIM materials led to significant gains in reading levels across grades 3rd - 5th. The table below shows the improvements in reading language arts for LISD.

Table 5

Reading Language Arts	2019	2024	Change
3rd Grade Meets	36	47	+11
4th Grade Meets	34	48	+14
5th Grade Meets	44	51	+7
3rd Grade Meets African American	22	38	+16
4th Grade Meets African American	15	37	+22
5th Grade Meets African American	28	36	+8
3rd Grade Meets Hispanic	28	40	+12
4th Grade Meets Hispanic	29	41	+12
5th Grade Meets Hispanic	38	47	+9
3rd Grade Meets Economically Disadvantaged	27	41	+14
4th Grade Meets Economically Disadvantaged	26	40	+14
5th Grade Meets Economically Disadvantaged	36	43	+7

Another state-discretionary TCLAS program that led to student gains was the blended learning grant program. Blended learning is a strategy²⁰ that seeks to address the issue of students arriving in a classroom at different levels of competency often resulting in the teacher teaching to the middle competency of the class. Blended learning combines online learning with face-to-face teacher instruction to help teachers effectively teach at different skill and competency levels for all students.

A blended learning model equips teachers with diagnostic information to help identify gaps in understanding. Based on what the teacher finds, virtual programs can help teachers in developing lessons to meet the competency and skill level of the student. What the TEA found was that in environments in which blended learning was incorporated for 60 minutes per week in mathematics, 32% of students increased performance in the math STAAR, and in reading, environments that

²⁰Texas Education Agency. (n.d.). *Blended Learning Grant Program: Request for Letters of Interest for Planning Grants*. <http://castro.tea.state.tx.us/eGrants/19-20/20037801/overviewr3.pdf>.

incorporated at least 45 minutes of blended learning per week had a 34% increase in STAAR performance.

A third state-discretionary TCLAS program that led to student gains was funding for additional days of the school-year planning execution program²¹ (ADSY PEP). ADSY PEP calls for the incorporation of an additional 30 days of instruction, the use of brain breaks, teacher planning, & student enrichment, and the adoption of HQIM materials for reading and mathematics. The data from the TCLAS spending showed that the percentage of students who were on grade level increased by 10 percentage points between 2022 and 2023 for participating students in math compared to non-participating students, whose on-grade-level attainment only improved by 2 percentage points. In reading, the on-grade-level attainment decreased by 3 percentage points between 2022 and 2023 for non-ADSY PEP students, compared to a 3 percentage point increase for ADSY PEP students.

The programs highlighted by Associate Commissioner Hodge highlight an effective use of new funds that lead to demonstrable increases in student performance. The data gathered while funding the TCLAS program will be helpful in building future models of student-outcome focused programs.

²¹ Texas Education Agency. (n.d.). *ADSY Planning and Execution Full Year Redesign Program*. <https://tea.texas.gov/academics/learning-support-and-programs/additional-days-school-year/adsy-planning-and-execution-full-year-redesign-program>.

Improving K-12 College Pathways

Review the availability of Advanced Placement and dual credit course offerings in high schools and examine the transfer requirements required for students to receive higher education course credit. Identify the current challenges to streamlining the transfer process, including adequate counseling for high school students. Make recommendations to ensure students receive credit for successful completion of these courses.

Thank You to Our Invited Witnesses

The Senate Education Committee heard testimony regarding this charge on November 11, 2024.

The hearing included invited testimony from the following individuals:

- Dr. Bruce Gearing, Superintendent, Leander Independent School District
- Suzanne McGurk, Senior Director - Higher Education Policy & Community College Engagement, College Board
- Mison Zuniga, AVC of College & High School Relations, Austin Community College
- Mr. Gary Ray, Associate Vice President of Enrollment Management, Texas State University

Background

Texas has set ambitious higher education goals to strengthen its economy and prepare a skilled workforce for the future. Central to these goals is the "60x30TX" plan, which aims for at least 60% of Texans aged 25-34 to hold a certificate or degree by 2030. To achieve this, the state recognizes the importance of expanding college readiness programs in high schools.

Advanced Placement (AP) and dual credit courses are critical components of this strategy. These programs allow high school students to earn college credits, promoting early exposure to college-level work and reducing the time and cost required to obtain a degree. By increasing access to AP and dual credit offerings, Texas seeks to boost college enrollment and completion rates, particularly among underserved populations.

However, challenges exist in ensuring that the credits earned through these programs effectively transfer to higher education institutions. Inconsistencies in credit recognition policies, inadequate counseling resources, and complex transfer requirements can hinder students' ability to apply these credits toward their degrees. These obstacles can lead to extended time to graduation and increased educational costs, undermining the benefits of AP and dual credit courses.

Recent K-12 College Pathways Legislation

Legislation	Key Provisions
HB 1638 (85th Legislature, 2017)	Set statewide goals for dual credit programs to improve college enrollment, performance, and pathways. Required TEA and THECB to establish standards for program success and ensure transparency by publishing dual credit agreements.
HB Bill 3650 (86th Legislature, 2019)	Mandates that dual credit agreements consider the use of open educational resources to reduce costs for students enrolled in dual credit courses.
SB 25 (86th Legislature, 2019)	Improved transfer processes, required annual reports on non transferable credits, mandated earlier filing of degree plans for dual credit students, and encouraged articulation agreements to streamline credit transfers.
HB 8 (88th Legislature)	Established the Financial Aid for Swift Transfer (FAST) program for free dual credit enrollment for educationally disadvantaged students. Restructured community college funding with an outcomes-based model rewarding success in dual credit pathways.

Findings/Analysis

Review the Availability of Dual Credit and Advanced Placement Offerings

Scope of AP Testing in Texas

In 2024, over 360,000 Texas students participated in AP exams, an 8% increase from 2023, with 42% of examinees from low-income backgrounds (a 14% growth) and 56% identifying as Black or Hispanic (also a 14% increase). More than 197,000 students earned scores of 3 or higher, translating to over \$434 million in potential tuition savings for families and \$20 million in higher education formula savings. Additionally, over 143,000 students took AP STEM exams, earning college credit on 109,254 of them—supporting Texas's economic priorities in science and technology fields.

However, access to advanced coursework remains uneven across the state. Approximately 44.07% of Texas school districts, primarily in rural and economically disadvantaged areas, offer no AP or International Baccalaureate (IB) courses, affecting 42,787 (5.68%) of 11th and 12th graders who attend these districts. A further 86,913 (11.55%) of 11th and 12th graders are in districts offering fewer than five AP or IB courses. Among rural districts, 20% of 11th and 12th graders have no access to AP or IB courses, and 39% attend districts offering fewer than five. These gaps underscore the disparities in

educational opportunities, leaving many students underprepared for college-level expectations and missing the significant benefits associated with advanced coursework.

Challenges to Streamlining the Transfer Process

Lack of Consistency in Credit Recognition

Policies for awarding credit for AP, IB, and dual credit courses vary widely among institutions, causing confusion and inefficiencies. Students often face uncertainty about how their credits will apply to their intended major.

Inconsistent Dual Credit Recognition

Community college credits, such as those from Austin Community College (ACC), do not always transfer uniformly to universities like UT Austin or Texas A&M, leading to wasted time and effort for students.

Limited Counseling and Advising Resources

Effective college and career advising can address barriers in pursuing, accessing and excelling in postsecondary pathways. High school counselors and advisors often lack adequate resources and tools to guide students effectively through the complexities of credit transfer, college pathways, and career options.

Specifically, the current state of advising can be characterized by lack of advising in the critical 90-day period following high school graduation and no accountability for advisor performance due to lack of timely information on student outcomes. Furthermore, there is an inadequate student-to-advisor ratio (roughly 400 students per advisor) in many districts, as shared by Dr. Bruce Gearing of Leander ISD..

Unclear Guidance on Credit Applicability

Students often lack clear information about how their earned credits align with their postsecondary goals, creating planning challenges.

Additional Legislative Discussion

GPA Weighting AP v Dual Credit

In Texas, the weighting of Advanced Placement (AP) and Dual Credit courses varies significantly by school district, impacting GPA calculations and, ultimately, student rankings. In Fort Bend Independent School District (FBISD), AP courses are given a higher weight than dual credit courses. Specifically, FBISD adds 10 extra points to semester grades for AP courses, while dual credit courses receive an additional 5 points.²² This system rewards students for taking AP classes, which are typically more standardized and rigorous due to their alignment with national curricula and exams.

²² “College and Career Readiness.” Dulles High School, Fort Bend Independent School District, <https://www.fortbendisd.com/Page/13327>. Accessed 11 Dec. 2024.

Frisco Independent School District (FISD), on the other hand, currently uses a tiered GPA scale, with AP and International Baccalaureate (IB) courses weighted at the highest level (6.0 scale), and dual credit courses placed in a lower tier (5.5 scale). However, starting with the graduating class of 2030, FISD plans to elevate dual credit courses to the same 6.0 tier as AP and IB classes. This change recognizes the increasing rigor and importance of dual credit programs, which allow students to earn college credits while still in high school. These differences between districts underscore the varying approaches to rewarding academic rigor and highlight the evolving recognition of dual credit as an essential pathway for college readiness.²³

Bats to Cats

The "Bats to Cats" program is a partnership between Austin Community College (ACC) and Texas State University (TXST) designed to streamline the transfer process for ACC students seeking to earn a bachelor's degree at TXST. Officially launching in fall 2024, the program provides guaranteed admission for eligible students, ensuring a smooth transition by maximizing credit transfer and reducing the need to retake courses. ACC handles transcript submissions automatically, while TXST provides advising and support throughout the process. This initiative aims to increase transfer rates, save students time and money, and foster a sense of belonging as students transition from ACC to TXST.

Recommendations

1. Enhance College and Career Advising:
 - a. Clearly define “advising” and the role of an “advisor” in the Texas Education Code as well as what constitutes effective advisor training
 - b. Ensure adequate student-to-advisor ratios, year round support, and dedicated advisors to enable effective advising that guides students toward courses aligned with their postsecondary goals and provides strong returns on investment including dedicated support related to student success initiatives such as dual credit, IBCs, and AP coursework
 - c. Require data collection and transparency linked to student outcomes to determine effectiveness
2. Expand Access to Underserved Students: Invest in programs like H.B. 8’s FAST initiative to ensure all students, regardless of socioeconomic status, have access to dual credit opportunities.
3. Focus on Cost Transparency: Require districts and colleges to report the average costs of dual credit courses to address affordability concerns for families.
4. Leverage Data for Continuous Improvement: Use mandated reporting under SB 25 (86R) and HB 8 (88R) to identify gaps in credit transfer and develop targeted interventions.

²³ Johnson, Hannah. “Frisco ISD to Expand 6.0 Weighted GPA with Dual Credit for Class of 2030.” Community Impact, 11 Apr. 2024, <https://communityimpact.com/dallas-fort-worth/frisco/education/2024/04/11/frisco-isd-to-expand-60-weighted-gpa-with-dual-credit-for-class-of-2030/>. Accessed 11 Dec. 2024.

5. Increase transparency: Require high school advisors to provide notice to families interested in enrolling in a dual credit, advanced placement, international baccalaureate or any other college-level program that credit earned may or may not apply towards a student's core curriculum upon transfer to another institution.
6. AP and Dual Credit Parity: Consider legislation to require school districts to provide equal weighting of Advanced Placement and Dual Credit courses for GPA calculation.

Monitoring

Monitor the implementation of legislation addressed by the Senate Committee on Education passed by the 88th Legislature, as well as relevant agencies and programs under the Committee's jurisdiction. Specifically, make recommendations for any legislation needed to improve, enhance, or complete implementation of the following:

- measures ensuring public school safety;
- oversight of public school library procurement and content policies; and
- high-quality instructional materials and open-educational resources for public schools.
- parent-approved health education.

Measures Ensuring Public School Safety

Background

The evolution of school safety measures in Texas reflects a continuous effort to enhance the protection of students and staff in response to emerging challenges and tragic events. In May 1999, following the Columbine High School shooting, Governor George W. Bush established the Texas School Safety Center at Southwest Texas State University (now Texas State University). This center was created to serve as the central location for school safety information to provide training, technical assistance, research, and promote strategies for preventing youth violence.

In response to the increasing need for oversight, legislation was passed to ensure that multi-hazard Emergency Operations Plans (EOPs) were submitted to the Texas School Safety Center, and School Safety and Security Committees were established within districts. The tragic shooting at Santa Fe High School in 2018 served as a catalyst for more robust reforms, leading to enhanced building standards for new construction and renovation, the creation of threat assessment teams, and increased funding through the School Safety Allotment.

The table below summarizes the key legislative milestones that have shaped school safety in Texas prior to the 88th legislative session.

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Year	Bill Number	Author	Key Provisions
2001	SB 420	Senator Florence Shapiro	Officially authorized the Texas School Safety Center; tasked with serving as a clearinghouse for safety information, conducting training programs, developing self-audit procedures, and providing on-site technical assistance to school districts.

2005	SB 11	Senator Todd Staples	Required school districts to develop multi-hazard Emergency Operations Plans (EOPs); outlined training for employees, coordination with local agencies, and triennial security audits using procedures from the Texas School Safety Center.
2007	SB 11	Senator John Carona	Mandated that the results of safety and security audits be submitted to the Texas School Safety Center, increasing oversight and accountability of school safety measures.
2009	HB 1831	Representative Frank Corte Jr.	Required the formation of School Safety and Security Committees; tasked the Texas School Safety Center with creating a registry of safety consultants and guidelines for agreements with law enforcement; mandated periodic safety progress reports to state officials.
2019	SB 11	Senator Larry Taylor	Mandated TEA to develop building standards for new construction and renovations; expanded safety requirements to charter schools; enhanced EOP requirements; established sanctions for non-compliance; specified Safety Committee membership; created Threat Assessment Programs; increased funding through the School Safety Allotment.
2019	HB 2195	Representative Morgan Meyer	Required inclusion of active shooter response policies in EOPs; mandated that school district peace officers complete active shooter response training approved by the Texas Commission on Law Enforcement (TCOLE).

The most recent reforms came after the 2022 shooting at Robb Elementary School in Uvalde. House Bill 3 introduced significant measures to enhance school safety across Texas. One of the primary requirements is that each school district must ensure the presence of at least one armed security officer during regular school hours at every campus. This officer can be a district police officer, a school resource officer, or a commissioned peace officer. Districts unable to comply due to funding or personnel limitations may claim a "good cause" exception, provided they develop an alternative safety plan as outlined in Texas Education Code §37.0814.

Additionally, the bill mandates that peace officers and school resource officers complete active shooter response training approved by the Texas Commission on Law Enforcement (TCOLE) at least once every four years. The Advanced Law Enforcement Rapid Response Training (ALERRT) now qualifies to meet this requirement, as specified in Texas Education Code §37.0812.

House Bill 3 also focused on enhancing facility standards by mandating the adoption and periodic review of school facility designs and operational requirements to ensure security. These facilitates standards were financed through Safety and Facilities Enhancement grants, totaling \$1.1 billion as appropriated by SB 30 (88R). School districts are required to document their compliance with these standards and provide updated emergency response maps. They must also offer opportunities for walkthroughs to local law enforcement and first responders, as per Texas Education Code §§7.061 and 37.117.

To ensure adherence to safety measures, the Texas Education Agency (TEA) is charged with monitoring the implementation and operation of requirements related to school district safety and security. Specifically, TEA is tasked to conduct detailed vulnerability assessments of each school district on a random basis once every four years and work in collaboration with the Texas School Safety Center to develop a rubric to conduct vulnerability assessments. Additionally, TEA is tasked to conduct annual Intruder Detection Audits. School districts that fail to address safety deficiencies may face sanctions by TEA, including the appointment of a conservator to oversee compliance, as outlined in Texas Education Code §§37.108 and 37.1084.

In terms of mental health and threat assessment, the bill requires employees who regularly interact with students to complete mental health training aimed at identifying and addressing potential risks. It adds additional procedures for threat assessment teams, as detailed in Texas Education Code §§22.904 and 37.115.

Furthermore, House Bill 3 increases the annual School Safety Allotment (increasing the per student allotment from \$9.72 to \$10 a student and creating a \$15,000 per campus component) to support enhancements such as security cameras, perimeter fencing, and silent panic alert devices. It permits districts to use bond proceeds to meet safety requirements, as specified in Texas Education Code §§48.115 and 45.1011. ,

Finally, the bill promotes community collaboration by requiring counties with populations under 350,000 to hold semiannual meetings involving law enforcement, emergency responders, and school officials. These meetings aim to coordinate safety responses and share resources, in accordance with Local Government Code §85.024.

Additional Safety Legislation from 88R

- | | |
|--------------------------|---|
| SB 838 by Sen. Creighton | Also known as Alyssa’s law, SB 838 requires each public school district and open-enrollment charter school to provide each classroom with silent panic alert technology that allows for immediate contact with district or charter school emergency services and emergency services agencies, law enforcement agencies, health departments, and fire departments. |
| SB 30 by Sen. Huffman | Appropriated \$1.1 billion to TEA to award grants to assist school districts in implementing school safety initiatives. |

Finding & Analysis

Texas School Safety Center

Multi Hazard Emergency Operations Reports (EOP)

In the wake of HB 3, the Texas School Safety Center continues to review and assess school district EOPs. The 2023-2024 Emergency Operations Plan (EOP) review cycle began on September 25, 2023 and concluded May 30, 2024. Each EOP review includes a review of 100% of a school district's basic EOP, and a random sample review of specific annexes. For the 2023-2024 cycle the center randomly reviewed ⅓ of districts' severe weather and hazardous materials annexes. 100% of the planning documents submitted were reviewed by the Safety Center and all applicable deficiencies were addressed.

The 2024-2025 EOP review cycle began September 23, 2024, with school districts required to submit their EOP by October 23, 2024. All initial reviews for this cycle are estimated to be completed by the end of January 2025. The 2024-2025 EOP will review the Basic Plan and cybersecurity annex, as well as a new HB 3 requirement which requires ISDs and Charter districts to certify that they provide DPS and all appropriate local law enforcement agencies and emergency responders an accurate map of each district campus and an opportunity to conduct a walk-through of each district campus. Failure to comply with this requirement will result in a deficiency in the 2024-2025 review cycle during the 2023-2024 review cycle.

Another change from HB 3 was a decrease in the time for school districts to submit their plans to TXSSC and correct deficiencies in their plans. The Safety center confirmed that all school districts met this accelerated timeline without issue.

Behavioral Threat Assessments

House Bill 3 created several new requirements for school districts in implementing threat assessments. School district must...

- **Establish** a clear procedure for a student to report concerning behavior, exhibited by another student, for assessment by the threat assessment team or an appropriate school employee.
- **Protect** the identity of a district employee who reports a potential threat, if the employee desires to keep their identity confidential.
- **Notify** the parent or guardian of a student before the team begins conducting a threat assessment on the student and share the team's findings with the parent.
- **Retain** materials and information provided to, or produced by, a threat assessment team during a threat assessment to be maintained in the student's record until the student's 24th birthday
- **Share**, in the event of student transfer, with the receiving district with the child's disciplinary record and any threat assessment involving the child's behavior.

The Texas School Safety Center has created several resources and guidance documents, including sample scripts/templates, and checklists to address school district questions regarding these new requirements. Additionally, the TXSSC has implemented all new legislative requirements into their behavioral threat assessment trainings and created a model school behavioral threat assessment manual provided with templates and exemplars to assist schools with implementing a comprehensive threat assessment program in their school district.

Sheriff School Safety Meetings

House Bill 3 requires that the sheriff of a county with a total population of less than 350,000 (237 counties affected) in which a public school is located call and conduct semiannual school safety meetings. These meetings must be attended by a variety of stakeholders such as a superintendent, school district police chief, local police chief, a representative from DPS, as well as fire and medical personnel. These sheriffs are required to submit a report to the TXSSC identifying the attendees of the meeting and the topics discussed. TXSSC is required to post meeting reports on their website, which they have complied with. These reports can be found online at <https://txssc.txstate.edu/sheriff-meetings/>.

The Texas School Safety Center provided the data below on school district compliance for FY24.

Category	Count
Counties that submitted meeting reports and attendance rosters	215
Counties that hosted 2 or more meetings	132
Counties that hosted 1 meeting	68
Counties with reporting documents needing additional information	15
Counties that have not submitted any documentation to TXSSC	21

Safe Gun Storage

House Bill 3 also requires the Texas School Safety Center, in collaboration with the Department of Public Safety, to provide each school district and open-enrollment charter school information and other resources regarding the safe storage of firearms for distribution by the district to the parent or guardian of each student enrolled in the district.

The school safety center meets these requirements by providing an [educator toolkit](#), as well as a prepared [parent cover letter template](#) that districts may adapt to introduce the resources to parents.

School Safety and Security Audits

The last triennial survey data collection of safety and security audit information from school districts was for the 2020-2023 audit cycle, which found that 99.4% of districts completed safety and security audits, 99.7% self-reported as having a Safety and Security Committee, and 98.7% reported adopting an EOP. The next survey data collection for ISDs will cover the 2023-2026 audit cycle. For charter school districts, the TXSSC will begin survey data collection in April 2025 for the 2022-2025 audit cycle.

Office of Safety and Security

House Bill 3 established the Office of School Safety and Security within the Texas Education Agency. The office's primary responsibility is to monitor the implementation and operation of school district safety and security requirements. It provides technical assistance to school districts in coordination with the Texas School Safety Center and local law enforcement agencies.

Intruder Detection Audits

The Intruder Detection Audit (IDA) Process is a program developed by the Texas Education Agency (TEA) in coordination with the Texas School Safety Center (TXSSC) to assess the safety and security of school campuses. This process evaluates campuses based on physical and procedural criteria and is conducted by Regional Education Service Centers (ESCs). The audits are divided into three phases, with results reported to the agency.

Intruder Detection Audit Phases

1. The Intruder Detection Phase: During this phase, an inspector selects an entry point on the campus and attempts to gain unauthorized access, testing the security of external entry points.
2. The Exterior Door Phase: Inspectors visit the school office, obtain a campus escort, and inspect exterior doors to verify that they are closed, latched, and locked.
3. The Classroom Door Phase (if applicable): For districts with policies requiring interior classroom doors to remain closed and locked, a subset of classroom doors is inspected to confirm compliance.

IDA Corrective Action Requirements

If a campus has a finding, the Local Education Agency (LEA) must address it within 60 calendar days by:

- Submitting a school board meeting agenda reflecting the audit findings.
- Conducting live training to ensure staff is trained on securing and locking exterior doors and submitting proof of training completion.

- Developing an action plan to prevent future occurrences of deficiencies, including actions to address any doors found unlocked or improperly secured.
- Reviewing findings during a scheduled Safety and Security Committee meeting, with meeting minutes submitted to verify compliance.

2023-2024 Statewide IDA Summary

In the 2023-2024 school year, 1,200 districts participated in the audit, covering 8382 campuses. Of these, 7,293 campuses had no findings. On average, 931 audits are conducted monthly. The findings for each phase include:

- **Phase 1 (Access Control):** 97% of campuses had no findings.
- **Phase 2 (Exterior Doors):** 90% of campuses had no findings.
- **Phase 3 (Door Sweep Logs):** 97% of campuses had no findings.

Overall, 87% of campuses statewide were compliant across all phases without findings, highlighting a strong adherence to safety protocols in most districts. However, corrective actions remain necessary for a minority of campuses to achieve full compliance.

District Vulnerability Assessments

District vulnerability assessments are detailed evaluations conducted by the Texas Education Agency (TEA) every four years to ensure compliance with school safety and security requirements. These assessments review facility access controls, emergency operations procedures, and overall campus security. Conducted using a standardized rubric developed with the Texas School Safety Center, the process identifies deficiencies and provides districts with reports outlining recommendations and required corrective actions.

The first pilot assessment was conducted in Dallas ISD on February 12, 3-24. Since the launch, 421 campuses have been assessed across 69 districts, and the agency has conducted over 50 DVA presentations and webinars to engage districts.. The office expects to conduct a total of 388 DVAs this year.

Armed Security Requirements

Reporting from the Office of School Safety and Security shows that a majority of districts are unable to comply with the armed security requirements of HB 3.

Compliance Status	All Districts	Small Districts (11 or fewer campuses)	Medium Districts (12-25 campuses)	Large Districts (26 or more campuses)
Compliant	45.32%	45.7%	55.7%	28.8%
Good Cause Exception	52.01%	52%	42.8%	62.7%

Adopting Good Cause Exception or Working to Meet Compliance	2.55%	2.3%	1.5%	8.4%
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Sentinel

Sentinel is a comprehensive school safety system developed by the Texas Education Agency's (TEA) Office of School Safety and Security to enhance the security of students, staff, and school campuses across Texas. Officially launched on July 24, 2024, Sentinel serves as a centralized platform for collecting, processing, storing, and distributing school safety and security information. The system is designed to assist school districts and charter schools in complying with safety requirements outlined in the Texas Education Code, including intruder detection audits, behavioral threat assessments, district vulnerability assessments, and emergency management procedures. Sentinel integrates data from various sources, provides tools and resources for safety implementation, and supports streamlined processes for optimization and automation. It also includes a mass communication feature to enable timely and accurate information-sharing during emergencies, ensuring schools receive critical guidance and resources.

Metric	Value
Number of "active" user accounts in Sentinel	9,548
Number of logins into the Sentinel portal	171,147
Number of LEA calendars placed in Sentinel	1,156
Number of drills scheduled in Sentinel	37,536
Number of documents uploaded	27,817

Sentinel aims to accomplish a wide array of critical school safety functions. Legislators should monitor implementation and consider school district feedback on this new program.

School District Concerns

Over half of Texas school districts have failed to meet the armed commissioned peace officer per campus requirement of House Bill 3, instead opting to claim a good cause exception which allows a district to hire a school marshal or a school district employee that has completed school safety

training provided by a qualified handgun instructor certified in school safety instead of a commissioned officer.

School districts have consistently expressed concerns that the \$10 per student and \$15,000 per campus School Safety allotment is insufficient to fully cover the costs of a commissioner peace officer. Northside ISD, which sought a good cause exception testified before the Committee that their school marshal program cost \$2.4 million per year to implement, while their revenue from the school safety allotment was \$1.6 million.

Additionally Northeast ISD expressed concerns with the availability of DPS school safety certification training for handgun instructors. Per the Texas Administrative Code, the school safety certification training for handgun instructors may not have an instructor to student ratio greater than 1:6. Although the district mitigated this by certifying one of its Police Captains as an in-house trainer, they still faced delays due to the DPS-imposed limitations. The Committee heard testimony from industry experts that there are less than 22 licensed trainers employed by DPS that are capable of providing the school safety certification for handgun instructors.

Lastly, many school districts seek a psychological evaluation before allowing an individual to be armed on campus. Our Committee heard testimony regarding the need to seek mental health professionals in other states due to the lack of available workforce in Texas.

Recommendations

1. Sheriff Meetings Clarifications: The Legislature should clarify how often required semiannual sheriff meetings must be conducted. The current language requiring “Semi-annual meetings” should be adjusted to reflect at least two meetings.
2. The Legislature should continue to explore the appropriate balance between a mixed state-local funding partnership in a heightened environment of increased threats in school settings.
3. Increase Capacity to Train Armed Security Personnel: The pool of trainers for school employees or contractors that carry on campus to meet a school district’s good cause exception for the armed commissioner peace officer requirement is not sufficient to meet the demand. The state should explore innovative solutions to increase supply, such as allowing Advanced Law Enforcement Rapid Response Training (ALERRT) trainers to train security personnel at districts that pursue a good cause exception.

School Library Procurement and Content Policies

Background

House Bill 900, known as the Restricting Explicit and Adult-Designated Educational Resources (READER) Act, regulates library materials available in public school libraries to ensure inappropriate content is restricted and parents have greater transparency and control over their children's access to such materials. The Texas State Library and Archives Commission (TSLAC), with the State Board of Education's (SBOE) approval, were tasked with establishing binding standards for library collection development.

These standards must prohibit harmful, sexually explicit, pervasively vulgar, or educationally unsuitable materials, emphasize the First Amendment's limitations regarding obscene content, and require transparency in school library catalogs. Vendors selling library materials must classify them as "sexually explicit," "sexually relevant," or provide no rating. Sexually explicit materials cannot be sold to schools, and vendors must recall explicit materials already sold. Vendors are required to submit annual lists of rated materials to the Texas Education Agency (TEA), which will publish these lists online.

The act mandates vendors to perform contextual analyses of materials based on their explicitness, repetitive sexual content, and intent to titillate, shock, or pander. The TEA has oversight to review vendor ratings and enforce corrections within 60 days. Non-compliant vendors will be publicly listed, barring schools from purchasing from them until issues are resolved. Schools must obtain written parental consent before students can access "sexually relevant" materials and conduct biennial reviews of these materials to determine whether to retain them. Review decisions must be published in a public report or made available at the district's central administrative office. Schools and their staff are shielded from liability for claims resulting from vendor violations.

Judicial History of HB 900

In response to HB 900, a coalition of Texas bookstores, national associations, authors, and publishers filed suit in federal court, asserting that the law violated the First and Fourteenth Amendments. Their claims included arguments that the law unconstitutionally compelled speech, imposed vague standards, and restricted free expression. The U.S. District Court for the Western District of Texas agreed with the plaintiffs, granting a preliminary injunction to halt enforcement of HB 900.

The State of Texas appealed the decision to the Fifth Circuit Court of Appeals. In **January 2024**, the Fifth Circuit affirmed the preliminary injunction against Texas Education Commissioner Mike Morath, finding that the plaintiffs were likely to succeed in proving First Amendment violations. However, the Fifth Circuit vacated the injunction as it applied to the Texas State Library and Archives Commission (TSLAC) and the State Board of Education (SBOE), directing the district court to dismiss claims against these entities.

In **April 2024**, the State requested a rehearing en banc, which would involve all active Fifth Circuit judges. The request narrowly failed with a 9–8 vote, leaving the preliminary injunction against Commissioner Morath in place and continuing to block certain provisions of HB 900. Although the Attorney General’s office has indicated that the case will proceed to trial in district court, the law remains on hold for now.

Impact of the Lawsuit on the Collection Development Standards

The Fifth Circuit’s ruling does not affect the collection development standards as a whole. School districts are still required to adopt collection development policies that comply with the minimum standards established by TSLAC. These include general requirements for selecting, managing, and evaluating library materials, prohibiting the possession or acquisition of harmful content, and maintaining transparency in library catalogs.

However, the injunction does impact two specific provisions tied to HB 900:

1. **Vendor Ratings:** The injunction prohibits the enforcement of HB 900 provisions requiring library material vendors to rate materials as “sexually explicit” or “sexually relevant.” Because vendors are not currently obligated to provide these ratings, sections of the collection development standards referencing these ratings are effectively inoperative.
2. **Prohibited Materials:** School districts are still required to prohibit the possession, acquisition, or purchase of harmful materials as defined by the Texas Penal Code and library material that is pervasively vulgar or educationally unsuitable, but they are not currently required to enforce vendor ratings tied to HB 900 due to the injunction.

The standards explicitly recognize the ongoing legal uncertainty and advise school districts to consult legal counsel regarding policy implementation. Districts may also choose to begin preparing for future compliance with the vendor rating requirements if HB 900 becomes enforceable. In the meantime, districts retain the flexibility to incorporate additional local procedures, provided they do not conflict with the minimum requirements set by TSLAC.

Findings/Analysis

Texas State Library and Archives Commission

Development of the Mandatory Collection Standards

The process began in **June 2023**, when TSLAC initiated discussions with key stakeholders, including the Chair of the State Board of Education (SBOE), the SBOE Committee on Instruction, and a representative from the Texas Education Agency (TEA). These meetings established a timeline and framework for drafting the standards. Over the summer of 2023, TSLAC worked collaboratively with the SBOE, TEA, and various stakeholder groups, integrating feedback into the draft rules. This included results from a **2022 parent and community survey**, which assessed priorities and needs related to school library programs.

TSLAC formally submitted a draft of the standards to the SBOE after approval from its commissioners at a meeting on **August 4, 2023**. On **August 31, 2023**, the SBOE Committee on Instruction reviewed the draft, and additional feedback was incorporated. A specially called TSLAC meeting on **October 13, 2023**, further refined the proposed rules, which were subsequently posted for public comment on **October 27, 2023**.

During the 30-day public comment period, TSLAC gathered additional input, refining the standards in collaboration with the SBOE Chair and Curriculum Committee Chair. On **December 13, 2023**, the final standards were presented to and approved by the SBOE. The following day, TSLAC commissioners formally adopted the standards as approved. These rules were published in the **Texas Register** and became effective on **January 3, 2024**, meeting the aggressive timeline established by HB 900.

Key Elements of the Standards

The Mandatory Collection Development Standards establish statewide guidelines for how public school libraries in Texas acquire, maintain, and manage library materials. These standards provide a professional framework to ensure collections align with curriculum requirements, reflect the diverse needs and interests of students, and maintain transparency and accountability. Central to the standards is the recognition of parents as the primary decision-makers regarding their children's access to materials. To support this, school districts must provide efficient parental access to online library catalogs, including detailed information about titles and policies for selection and reconsideration of materials.

The standards mandate clear processes for evaluating, selecting, and removing library materials, requiring the use of established criteria such as alignment with the Texas Essential Knowledge and Skills (TEKS), age appropriateness, and contributions to literary, factual, and cultural enrichment. Districts are also required to establish formal reconsideration procedures, ensuring parents and staff can challenge materials through a structured review process. Additionally, the standards prohibit the acquisition of materials deemed obscene, sexually explicit, pervasively vulgar, or educationally unsuitable, while mandating transparency through publicly accessible catalogs and clear communication with parents and the community about library policies.

To maintain professional oversight, the standards require that certified librarians or trained staff manage library collections. Libraries must periodically review and update their materials to ensure relevance and quality, and school districts must revisit their library policies every three years to ensure compliance with state law and evolving local needs. While providing a consistent statewide framework, the standards allow districts flexibility to adopt additional procedures tailored to their communities, so long as they meet the minimum requirements. These comprehensive guidelines ensure that school library collections in Texas remain aligned with educational priorities, respectful of parental rights, and responsive to the needs of students.

Stakeholder Collaboration and Rule Implementation

TSLAC emphasized transparency and collaboration at every stage of the process. Feedback from educators, parents, and community members was actively sought, and TSLAC engaged professional organizations to ensure the standards reflected both the intent of HB 900 and the needs of Texas schools. Stakeholder input was instrumental in refining the rules during the public comment period and subsequent revisions.

The rules also include provisions for local district implementation. While TSLAC does not have enforcement authority, the standards provide clear directives for school districts to establish compliant policies, including the evaluation, selection, acquisition, and reconsideration of library materials. Districts are required to appoint certified librarians or trained professionals to oversee these processes, conduct periodic reviews of their policies, and ensure parental access and involvement.

Lack of Enforcement Authority

While school districts are required to adopt the minimum standards, there is no mechanism to hold school districts that violate state law accountable.

Recommendations

1. **Definition of Indecent Material:** Amend the statute to include the term “indecent material,” which aligns with the case precedence and the existing Federal Communications Commission (FCC) standard.
2. **Provide a Minimum Guidance Framework for School District Review of Library Materials:** Ensure parents rights are protected by establishing a baseline for school district review of library materials
3. **Explore options for enforcement of minimum collection standards and library book review procedures.**

High-Quality Instructional Materials

Background

The gaps in grade-appropriate instructional materials and lack of transparency in curriculum access highlighted a clear need for legislative action, prompting the passage of HB 1605. National studies revealed that while students completed classroom assignments successfully 71% of the time, only 17% of these assignments actually met grade-level standards, leading to significant instructional time spent on below-grade-level content across subjects, including math and science. Students were estimated to spend over 500 hours per year on assignments that weren't grade-appropriate, effectively wasting nearly half a school year.

For teachers, the struggle to find high-quality, TEKS-aligned materials is often both time-consuming and unsustainable. On average, teachers spend 7-12 hours weekly searching for resources—time that could otherwise be directed toward instruction and planning. While many of the materials approved by the state board of education covered more than the minimum 50% of TEKS, districts must still verify that they have procured enough materials to cover all of the TEKS for each student in the required curriculum. This has forced districts to supplement with additional resources, straining already tight budgets.

Further, the lack of transparency in instructional materials hindered parents from engaging in their child's education, as many lessons were created on short timelines and rarely made accessible online. A National PTA survey showed that 74% of parents wanted more access to curriculum content, yet many felt they were kept in the dark about what was being taught in the classroom.

HB 1605 addresses these critical issues by ensuring that instructional materials are high-quality, aligned with TEKS, and accessible for parental review, thereby promoting a more effective and transparent education system that benefits students, teachers, and families alike.

Bill Implementation and Impact

Instructional Material Review and Approval (IMRA) Cycle 2024

Starting in June of 2023, the State Board of Education (SBOE), in partnership with the Texas Education Agency, began creating a new rigorous instructional materials approval process, as instructed by House Bill 1605. This process included the creation of quality and suitability rubrics for the 2024 review cycle that the reviewed instructional materials would be measured against to ensure that approved instructional materials meet the bar of high quality and adhere to state law.

IMRA Cycle 2024 included full-subject, tier-one instructional materials intended for classroom-wide instruction to support all students in K–5 English Language Arts and Reading (ELAR), K–5 Spanish

Language Arts and Reading (SLAR), and K–12 mathematics. Partial-subject, tier-one instructional materials for K–3 English and Spanish phonics were also up for review.

The SBOE-approved quality IMRA rubrics for the 2024 cycle during the 2024 January/February SBOE meeting. Those rubrics were used by IMRA reviewers selected by state board members to evaluate instructional materials submissions during this IMRA cycle.

An essential part of the IMRA process allowed any resident of Texas to review any of the instructional materials under consideration for approval and submit written comments, report suspected factual errors, or report suitability concerns. As such, instructional materials submitted in the IMRA process were accessible to the public on the SBOE website beginning in May 2024. The online public comment period began in May and ended in August 2024.

Additionally, public testimony was heard at the June, September and November SBOE meetings, allowing citizens the opportunity to provide oral testimony about instructional materials submitted for approval.

During the public comment period for the materials, hundreds of comments were submitted and responded to by publishers to ensure that the final instructional materials reflected the people and values of Texas.

The SBOE approved a new list of K-12 instructional materials during its November 18–22 meetings, concluding the inaugural IMRA Review Cycle. These approved materials included full subject, tier-one state created and owned K-5 ELAR, K-8 Mathematics, and Algebra 1 instructional materials. These state-owned products have been titled “Bluebonnet Learning” and will be made available free of charge online as Open Education Resources (OER). However, districts are required to use their OER printing and SBOE-approved instructional materials allotments to cover the cost of printing the instructional materials as well as purchasing the necessary consumables.

The [approved High-Quality Instructional Materials \(HQIM\)](#) cover K-5 English and Spanish language arts, K-3 English and Spanish phonics, and K-12 mathematics, all 100% aligned with Texas Essential Knowledge and Skills (TEKS). Starting in the 2025-26 school year, schools can choose these optional resources with funding of \$40 per student annually, plus \$20 more for printed Bluebonnet Learning materials. In addition to creating a list of approved materials, the SBOE created a [list of materials](#) that were rejected due to not fully aligning to the TEKS, meeting minimum standards on the quality and suitability rubrics, or not complying with rulemaking.

IMRA Cycle 2024 Rubrics	
Quality Rubrics	Mathematics K–12
	ELAR K–3
	ELAR 4–8
	SLAR K–3
	SLAR 4–6
IMRA Cycle 2024 Suitability Rubric	

IMRA Cycle 2025

Work has already started on the next IMRA review cycle. For the next cycle, the board is expected to review math supplemental instructional materials, as well as all other subjects and material that have previously been eligible to go through IMRA Cycle 2024. As a first step in this process, the SBOE has approved a K–12 supplemental math instructional materials quality rubric, and revised, based on feedback, the suitability rubric, SBOE-approved quality rubrics for ELAR K-3 and 4-8, SLAR K-3 and 4-6, and mathematics K-12.

IMRA Cycle 2025 Rubrics	
Quality Rubrics	<u>Mathematics K–12</u>
	<u>Supplemental Mathematics K–12</u>
	<u>ELAR K–3</u>
	<u>ELAR 4–8</u>
	<u>SLAR K–3 Quality Rubric (PDF)</u>
	<u>SLAR 4–6 Quality Rubric (PDF)</u>
<u>IMRA Cycle 2025 Suitability Rubric</u>	

Future Implementation

- **Future IMRA Reviews**

- A topic of conversation during the first IMRA cycle was the impact of TEKS revision on the approved materials list. Since the approved materials are required by rule to align to 100% of the TEKS, and updates and revisions to the state standards for a subject that has already had materials approved could remove all materials off of the approved list and threaten district funding. To address this tension, TEA has laid out a [10-year plan](#) that takes into account TEKS revisions to maximize clarity to publishers and districts.

- **Book list and vocab list**

- One piece of the legislation was the directive to the SBOE to create a list of vocabulary words for each grade that every student in Texas should have learned as well as a list of at least one book per grade that every Texas student is expected to have read. These lists will be added to the TEKS, likely as a figure. TEA expects that the lists will be finally approved in Spring 2026.

Finding & Analysis

During the rulemaking process and IMRA process at the SBOE, concerns were raised around funding and implementation of the instructional materials approved by the SBOE.

Monitoring Implementation of Materials: There was apprehension about how effectively school districts would implement the newly approved instructional materials, emphasizing the need for

consistent monitoring to ensure adherence to the intended instructional materials. There was also a desire to understand the impact of the curriculum that is approved and implemented.

Teacher Support: Discussions highlighted the necessity for comprehensive professional development to assist educators in effectively utilizing the new materials, ensuring that they are equipped to deliver high-quality instruction.

Adequate Financial Support: Some stakeholders have shared concerns over whether the \$20 per-student printing allotment is sufficient to cover the cost of printing OER materials. TEA has since received a bid coming in within the amount of funds currently available to districts, permitting school systems to have enough money to purchase the tier-one materials and any consumable products for students to use during the school year. For future adoption of OER materials, there is still concern that the current printing allowance would not alone cover the cost to print the OER and purchase consumables.

Recommendations

Based on the work of the State Board of Education and the Texas Education Agency implementation, including the public hearing held and the public comments received during the IMRA Cycle 2024, the Committee recommends to the 89th Legislature:

1. Require the Texas Education Agency to monitor and report annually on the implementation of approved HQIM by LEAs. This report should include costs incurred by districts to implement, the specific products districts purchase to be used in classes, the outcomes the district have while implementing these materials, and, if able, the fidelity of implementation by LEAs.
2. Further consideration of enhanced funding for OER approved materials might help defray any newfound additional implementation costs.

Parent-Approved Health Education

Background

In the 87th Texas Legislative Session, Senator Bryan Hughes introduced an amendment to HB 1525, establishing an "Opt-In" policy for human sexuality instruction. This policy required schools to obtain explicit permission from parents before enrolling their child in sex education, replacing the previous "Opt-Out" system where parents had to actively withdraw their child if they did not want them to participate.

Under the Opt-In policy, school districts, including Austin ISD, implemented permission slip systems to ensure parental consent for sex education participation. This approach aimed to give parents a more active role in determining their child's involvement in these lessons.

Finding & Analysis

The Opt-In requirement, however, expired on August 1, 2024, after the Texas House did not pass SB 163, a bill sponsored by Senator Donna Campbell, nor SB 8, Chairman Creighton's Parents' Bill of Rights, that would have made this policy permanent.

Recommendations

1. Restore the parental "Opt-In" requirement for human sexuality instruction: Parental involvement is the most significant factor for student success, and the State of Texas must ensure that parents are connected and engaged in their children's education. The legislature must require explicit parental consent before enrolling students in sensitive subjects such as sex education and mandate clear notification and access to instructional materials.