

By: _____

____.B. No. _____

Substitute the following for ____B. No. _____:

By: _____

C.S. ____B. No. _____

A BILL TO BE ENTITLED

AN ACT

relating to public education and public school finance.

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

ARTICLE 1. TEACHER COMPENSATION

SECTION 1.01. Section 21.3521, Education Code, is amended by amending Subsections (a), (c), and (e) and adding Subsections (c-1), (d-1), (d-2), and (d-3) to read as follows:

(a) Subject to Subsection (b), a school district or open-enrollment charter school may designate a classroom teacher as a master, exemplary, ~~[ex]~~ recognized, or acknowledged teacher for a five-year period based on the results from single year or multiyear appraisals that comply with Section 21.351 or 21.352.

(c) Notwithstanding performance standards established under Subsection (b) and subject to authorization under Section 21.3523, a classroom teacher that holds a National Board Certification issued by the National Board for Professional Teaching Standards may be designated as nationally board certified ~~[recognized]~~.

(c-1) A classroom teacher's designation under Subsection (c) is valid for a five-year period, regardless of whether the State Board for Educator Certification subsequently revokes

authorization for a nationally board certified teacher designation under Section 21.3523.

(d-1) Each school year, the commissioner shall, using criteria developed by the commissioner, designate as enhanced teacher incentive allotment systems school districts and open-enrollment charter schools that implement comprehensive school evaluation and support systems. The criteria developed by the commissioner must require a district or school to:

(1) for principals and assistant principals, implement:

(A) a strategic evaluations system aligned with the district's or school's teacher designation system; and

(B) a compensation system based on performance;

(2) ensure that under the district's or school's teacher designation system substantially all classroom teachers, regardless of the grade level or subject area to which the teacher is assigned, are eligible to earn a designation under Subsection (a);

(3) implement for all classroom teachers a compensation plan based on performance that:

(A) uses a salary schedule that differentiates among classroom teachers based on staff appraisals; and

(B) does not include across-the-board salary increases for classroom teachers except for periodic changes to

the district's or school's salary schedule to adjust for significant inflation; and

(4) implement a locally designed plan to place highly effective teachers at high needs campuses and in accordance with Section 28.0062(a)(3).

(d-2) The commissioner may designate a school district or open-enrollment charter school as an enhanced teacher incentive allotment system under Subsection (d-1) only if the district or school has implemented a local optional teacher designation system under this section.

(d-3) The commissioner may remove a school district's or open-enrollment charter school's designation under Subsection (d-1) if the commissioner determines the district or school no longer meets the criteria for the designation.

(e) The agency shall develop and provide technical assistance for school districts and open-enrollment charter schools that request assistance in implementing a local optional teacher designation system, including:

(1) providing assistance in prioritizing high needs campuses;

(2) providing examples or models of local optional teacher designation systems to reduce the time required for a district or school to implement a teacher designation system;

(3) providing examples or models of local optional teacher designation systems that implement a teacher designation system for teachers of special populations, including special education and bilingual education;

(4) establishing partnerships between districts and schools that request assistance and districts and schools that have implemented a teacher designation system;

(5) applying the performance and validity standards established by the commissioner under Subsection (b);

(6) providing centralized support for the analysis of the results of assessment instruments administered to district students; and

(7) facilitating effective communication on and promotion of local optional teacher designation systems.

SECTION 1.02. Subchapter H, Chapter 21, Education Code, is amended by adding Sections 21.3522 and 21.3523 to read as follows:

Sec. 21.3522. LOCAL OPTIONAL TEACHER DESIGNATION SYSTEM GRANT PROGRAM. (a) From funds appropriated or otherwise available for the purpose, the agency shall establish and administer a grant program to provide money and technical assistance to:

(1) expand implementation of local optional teacher designation systems under Section 21.3521; and

(2) increase the number of classroom teachers eligible for a designation under that section.

(b) A grant awarded under this section must:

(1) meet the needs of individual school districts; and

(2) enable regional leadership capacity.

(c) The commissioner may adopt rules as necessary to implement this section.

Sec. 21.3523. REVIEW AND AUTHORIZATION OF NATIONALLY BOARD CERTIFIED TEACHER DESIGNATION. (a) The State Board for Educator Certification may periodically review National Board Certifications issued by the National Board for Professional Teaching Standards to determine whether to reauthorize or revoke authorization for the nationally board certified teacher designation under Section 21.3521(c). If the board revokes authorization, the board may at any time conduct a review under this subsection to determine whether to reauthorize the nationally board certified teacher designation.

(b) A review under Subsection (a) must evaluate whether the components and assessments required for a National Board Certification align and comply with state law, including whether:

(1) earning a National Board Certification would interfere with the certificate holder's ability to provide:

(A) instruction in the essential knowledge and

skills without using common core state standards, as defined by Section 28.002;

(B) phonics instruction in accordance with Section 28.0062 and without using three-cueing, as prohibited by Subsection (a-1) of that section; or

(C) instruction in accordance with:

(i) the instructional requirements and prohibitions under Section 28.0022; or

(ii) any other applicable state law; and

(2) the components and assessments align with the criteria adopted by the State Board of Education under Section 31.022 for the approval of instructional materials.

(c) Not later than December 31, 2026, the State Board for Educator Certification shall conduct an initial review under Subsection (a) of National Board Certifications issued by the National Board for Professional Teaching Standards and reauthorize or revoke the nationally board certified teacher designation under Section 21.3521(c). If the board fails to reauthorize the designation by that date, the authorization for the designation is revoked. This subsection expires September 1, 2027.

SECTION 1.03. Subchapter I, Chapter 21, Education Code, is amended by adding Section 21.417 to read as follows:

Sec. 21.417. RESOURCES, INCLUDING LIABILITY INSURANCE, FOR

CLASSROOM TEACHERS. (a) From funds appropriated or otherwise available for the purpose, the agency shall contract with a third party to provide the following services for a classroom teacher employed under a probationary, continuing, or term contract:

(1) assistance in understanding the teacher's rights, duties, and benefits; and

(2) liability insurance to protect a teacher against liability to a third party based on conduct that the teacher allegedly engaged in during the course of the teacher's duties.

(b) A school district may not interfere with a classroom teacher's access to services provided under this section.

(c) A contract entered into by the agency to provide services under Subsection (a) must prohibit the entity with which the agency contracts from using funds received under the contract to engage in:

(1) conduct that a state agency using appropriated money is prohibited from engaging in under Chapter 556, Government Code; and

(2) political activities or advocate for issues regarding public schools, including for boards of trustees of school districts or school districts.

(d) This section may not be interpreted to interfere with a classroom teacher's or other school district employee's exercise

of a right protected by the First Amendment to the United States Constitution.

SECTION 1.04. The heading to Section 22.001, Education Code, is amended to read as follows:

Sec. 22.001. SALARY DEDUCTIONS FOR PROFESSIONAL OR OTHER DUES.

SECTION 1.05. Sections 22.001(a) and (b), Education Code, are amended to read as follows:

(a) A school district employee is entitled to have an amount deducted from the employee's salary for membership fees or dues to a professional organization or an entity providing services to classroom teachers under Section 21.417. The employee must:

(1) file with the district a signed written request identifying the organization or entity [~~and specifying the number of pay periods per year the deductions are to be made~~]; and

(2) inform the district of the total amount of the fees and dues for each year or have the organization or entity notify the district of the amount.

(b) The district shall deduct the total amount of the fees or dues for a year in equal amounts per pay period [~~for the number of periods specified by the employee~~]. The district shall notify the employee not later than the 45th day after the district receives a request under Subsection (a) of the number of pay

periods annually from which the district will deduct the fees or dues. The deductions shall be made until the employee requests in writing that the deductions be discontinued.

SECTION 1.06. Section 48.112, Education Code, is amended by amending Subsections (c), (d), and (i) and adding Subsection (g-1) to read as follows:

(c) For each classroom teacher with a teacher designation under Section 21.3521 employed by a school district, the school district is entitled to an allotment equal to the following applicable base amount increased by the high needs and rural factor as determined under Subsection (d):

(1) \$12,000, or an increased amount not to exceed \$36,000 [~~\$32,000~~] as determined under Subsection (d), for each master teacher;

(2) \$9,000 [~~\$6,000~~], or an increased amount not to exceed \$25,000 [~~\$18,000~~] as determined under Subsection (d), for each exemplary teacher; [and]

(3) \$5,000 [~~\$3,000~~], or an increased amount not to exceed \$15,000 [~~\$9,000~~] as determined under Subsection (d), for each recognized teacher; and

(4) \$3,000, or an increased amount not to exceed \$9,000 as determined under Subsection (d), for each:

(A) acknowledged teacher; or

(B) nationally board certified teacher.

(d) The high needs and rural factor is determined by multiplying the following applicable amounts by the average of the point value assigned to each student at a district campus under Subsection (e):

- (1) \$6,000 [~~\$5,000~~] for each master teacher;
- (2) \$4,000 [~~\$3,000~~] for each exemplary teacher; [~~and~~]
- (3) \$2,500 [~~\$1,500~~] for each recognized teacher; and
- (4) \$1,500 for each:

(A) acknowledged teacher; or

(B) nationally board certified teacher.

(g-1) For a district that is designated as an enhanced teacher incentive allotment system under Section 21.3521(d-1), the commissioner shall increase the amount to which the district is entitled under this section by multiplying that amount by 1.1.

(i) A district shall annually certify that:

(1) funds received under this section were used as follows:

(A) at least 90 percent of each allotment received under Subsection (c) was used for the compensation of teachers employed at the campus at which the teacher for whom the district received the allotment is employed; [~~and~~]

(B) for a district whose allotment was increased

under Subsection (g-1), the amount by which the allotment was increased under that subsection was used to meet the criteria to maintain a designation as an enhanced teacher incentive allotment system under Section 21.3521(d-1); and

(C) any other funds received under this section were used for costs associated with implementing Section 21.3521, including efforts to support teachers in obtaining designations; and

(2) the district prioritized high needs campuses in the district in using funds received under this section.

SECTION 1.07. Subchapter D, Chapter 48, Education Code, is amended by adding Section 48.158 to read as follows:

Sec. 48.158. TEACHER RETENTION ALLOTMENT; SUPPORT STAFF ALLOTMENT. (a) In this section, "classroom teacher" has the meaning assigned by Section 5.001, except that the term also includes:

(1) a person who is not required to hold a certificate issued under Subchapter B, Chapter 21, who otherwise meets the definition of a classroom teacher under Section 5.001; and

(2) a person, including a person described by Subdivision (1), employed by an entity with which a school district has entered into a contract who otherwise meets the definition of a classroom teacher under Section 5.001.

(b) A school district is entitled to an annual allotment for each classroom teacher who is employed by or contracts with the district for which the allotment is provided as follows:

(1) if the district has 5,000 or fewer students enrolled for the school year:

(A) \$4,000 for each classroom teacher who has at least three but less than five years of teaching experience; and

(B) \$8,000 for each classroom teacher who has five or more years of teaching experience; and

(2) if the district has more than 5,000 students enrolled for the school year:

(A) \$2,500 for each classroom teacher who has at least three but less than five years of teaching experience; and

(B) \$5,000 for each classroom teacher who has five or more years of teaching experience.

(b-1) Instead of the allotment under Subsection (b)(2), a school district described by that subdivision is entitled to funding under Subsection (b)(1) if the school district received an allotment under Subsection (b)(1) in a previous school year.

(b-2) A school district is entitled to an additional annual allotment of \$45 per each student in adjusted average attendance. For purposes of this section, adjusted average attendance is determined by dividing the sum of the district's allotments under

Sections 48.051 and 48.101 by the basic allotment for the applicable year.

(c) For the 2025-2026 school year, a school district shall use money received under Subsection (b) to:

(1) increase the salary provided to each classroom teacher for which the district is entitled to funding under Subsection (b) for that year over the salary the teacher received or would have received if the teacher was employed by or contracted with the district in the 2024-2025 school year by at least the amount received per classroom teacher under Subsection (b); or

(2) if the school district is applying to be designated as an enhanced teacher incentive allotment system, increase the salaries of classroom teachers for that year based on performance.

(c-1) For the 2025-2026 school year, a school district shall use money received under Subsection (b-2) to increase salaries provided to non-administrative staff not eligible under Subsection (b).

(d) Except as provided by Subsection (e), for the 2026-2027 and each subsequent school year, a school district shall use money received under Subsection (b) to maintain the salary increases for classroom teachers provided under Subsection (c). Any additional funding generated for a school district under this section may only be used for the compensation of classroom teachers who are

employed by or contract with the district and who have three or more years of experience.

(d-1) For the 2026-2027 and each subsequent school year, a school district shall use money received under Subsection (b-2) to maintain the salary increases provided under Subsection (c-1). Any additional funding generated for a school district under this section may only be used for the compensation of non-administrative staff not eligible Subsection (b).

(e) A school district that has been designated as an enhanced teacher incentive allotment system for the applicable school year may use money received under Subsection (b) to provide salaries to classroom teachers in accordance with the district's compensation plan.

(f) A school district that increases classroom teacher or non-administrative staff compensation in the 2025-2026 school year to comply with Subsection (c) and (c-1), as added by H.B. 2, 89th Legislature, Regular Session, 2025, is providing compensation for services rendered independently of an existing employment contract applicable to that school year and is not in violation of Section 53, Article III, Texas Constitution. This subsection expires September 1, 2027.

SECTION 1.08. Section 48.257, Education Code, is amended by adding Subsection (b-1) to read as follows:

(b-1) If for any school year a school district receives an adjustment under Subsection (b) and, after that adjustment, is no longer subject to Subsection (a), the district is entitled to additional state aid for that school year in an amount equal to the lesser of:

(1) the difference, if the difference is greater than zero, between:

(A) the amount to which the district is entitled under Subchapters B, C, and D less the district's distribution from the available school fund for that school year; and

(B) the district's tier one maintenance and operations tax collections for that school year; or

(2) the district's allotment under Section 48.158 for that school year.

SECTION 1.09. Sections 48.051(c), (c-1), (c-2), and (d), Education Code, are repealed.

SECTION 1.10. Not later than September 1, 2026, a school district or open-enrollment charter school shall redesignate a teacher who holds a recognized teacher designation under Section 21.3521(c), Education Code, on the basis of the teacher's national board certification, before the effective date of this article, to reflect the teacher's nationally board certified designation under Section 21.3521(c), Education Code, as amended by this article. A

redesignation under this section is effective beginning September 1, 2026.

SECTION 1.11. (a) Except as provided by Subsections (b) and (c) of this section, this article takes effect immediately if this Act receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this article takes effect September 1, 2025.

(b) Sections 48.158 and 48.257(b-1), Education Code, as added by this article, take effect September 1, 2025.

(c) Section 48.112(c), and (d), Education Code, as amended by this article, takes effect September 1, 2026.

ARTICLE 2. EDUCATOR PREPARATION AND TEACHER RIGHTS

SECTION 2.01. Section 12A.004(a), Education Code, is amended to read as follows:

(a) A local innovation plan may not provide for the exemption of a district designated as a district of innovation from the following provisions of this title:

(1) a state or federal requirement applicable to an open-enrollment charter school operating under Subchapter D, Chapter 12;

(2) Subchapters A, C, D, and E, Chapter 11, except that a district may be exempt from Sections 11.1511(b)(5) and (14) and

Section 11.162;

(3) the employment of uncertified classroom teachers under Section 21.0032;

(4) parental notification requirements under Section 21.057;

(5) state curriculum and graduation requirements adopted under Chapter 28; and

(6) [+4+] academic and financial accountability and sanctions under Chapters 39 and 39A.

SECTION 2.02. Section 19.007(g), Education Code, is amended to read as follows:

(g) In addition to other amounts received by the district under this section, the district is entitled to:

(1) state aid in the amount necessary to fund the salary increases required by Section 19.009(d-2); and

(2) the preparing and retaining educators through partnership program allotment under Section 48.157.

SECTION 2.03. Section 21.001, Education Code, is amended by adding Subdivision (3-b) to read as follows:

(3-b) "Teacher of record" means a person employed by a school district who teaches the majority of the instructional day in an academic instructional setting and is responsible for evaluating student achievement and assigning grades.

SECTION 2.04. Subchapter A, Chapter 21, Education Code, is amended by adding Sections 21.0032 and 21.0033 to read as follows:

Sec. 21.0032. EMPLOYMENT OF UNCERTIFIED CLASSROOM TEACHERS.

(a) A school district may not employ as a teacher of record for a course in the foundation curriculum under Section 28.002 a person who does not hold an appropriate certificate or permit required by the State Board for Educator Certification under Subchapter B.

(a-1) Notwithstanding Subsection (a), on the receipt and approval of a plan submitted by a school district to the commissioner that provides a reasonable timeline and strategy to comply with that subsection before the beginning of the 2029-2030 school year, the commissioner may allow the district to delay implementation of the requirement of that subsection. This subsection expires September 1, 2030.

(a-2) Notwithstanding Subsection (a) and Section 12A.004, a school district that has adopted a local innovation plan under Chapter 12A for the 2026-2027 school year that exempts the district from the applicable teacher certification requirements under Section 21.003 may employ as a teacher of record for a course other than a reading language arts or mathematics course in a grade level above grade five a person who does not hold an appropriate certificate or permit required by the State Board for Educator Certification under Subchapter B. This subsection expires

September 1, 2027.

(b) This section does not preclude a school district from:

(1) receiving a waiver under Section 7.056; or

(2) issuing a school district teaching permit under
Section 21.055.

Sec. 21.0033. TEACHER CERTIFICATION INCENTIVE. (a) From
money appropriated or otherwise available for the purpose, the
agency shall provide to each school district a one-time payment of
\$1,000 for each classroom teacher employed by the district who:

(1) was hired for the 2022-2023 or 2023-2024 school
year as a first-year teacher;

(2) was uncertified on January 1, 2025;

(3) earned a standard certificate under Subchapter B by
the end of the 2026-2027 school year; and

(4) was continuously employed by the district since the
school year described by Subdivision (1).

(b) This section expires September 1, 2028.

SECTION 2.05. Section 21.041, Education Code, is amended by
adding Subsection (e) to read as follows:

(e) A rule proposed by the board under this section relating
to educator preparation is not subject to Section 2001.0045,
Government Code.

SECTION 2.06. Subchapter B, Chapter 21, Education Code, is

amended by adding Section 21.0412 to read as follows:

Sec. 21.0412. TYPES OF TEACHING CERTIFICATES. (a) In proposing rules specifying the types of teaching certificates to be issued under this subchapter, the board shall provide for a candidate to be issued:

(1) a standard certificate if the candidate satisfies:

(A) all traditional teacher preparation requirements under Section 21.04421; or

(B) the applicable alternative teacher preparation requirements under Section 21.04423;

(2) an enhanced standard certificate if the candidate satisfies all requirements of the teacher residency preparation route established under Section 21.04422;

(3) an intern with preservice experience certificate, which expires one year after issuance unless modified by the board, if the candidate has yet to satisfy all requirements for certification for a preservice alternative teacher preparation route established under Section 21.04423(1) but has completed a sufficient number of preservice practice hours to serve as a teacher of record; and

(4) an intern certificate, which expires two years after issuance unless modified by the board, if the candidate has yet to satisfy all requirements for certification for an

alternative teacher preparation route established under Section 21.04423(2) but has met all board requirements to serve as a teacher of record.

(b) Rules proposed under Subsection (a)(2) may not require a candidate to pass a pedagogy examination unless the examination tests subject-specific content appropriate for the grade level and subject area for which the candidate seeks certification.

(c) A candidate for a certification described by Subsection (a) must meet all other requirements imposed under this subchapter or board rule applicable to the candidate's certification.

(d) This section does not prohibit the board from proposing rules that provide for certifications other than the certifications described by Subsection (a), including specialized certifications and other types and classes of certifications.

SECTION 2.07. Section 21.044, Education Code, is amended by adding Subsections (i) and (j) to read as follows:

(i) An educator preparation program participating in a Preparing and Retaining Educators through Partnership Preservice Program under Subchapter R shall:

(1) incorporate the applicable instructional materials and training developed under Section 21.067, as determined by the board;

(2) if applicable for the grade and subject area for

which a teacher candidate enrolled in the educator preparation program is seeking certification, incorporate the literacy achievement academies and mathematics achievement academies established under Sections 21.4552 and 21.4553; and

(3) ensure that instruction and training described by Subdivisions (1) and (2) are delivered by a person with appropriate training who has successfully completed a certification related to that training offered by the agency.

(j) For purposes of Subsection (i)(2), the board by rule shall designate the components of a literacy achievement academy or mathematics achievement academy under Section 21.4552 or 21.4553, as applicable, that may be completed after receiving an intern with preservice experience certificate under Section 21.0412.

SECTION 2.08. Subchapter B, Chapter 21, Education Code, is amended by adding Sections 21.04421, 21.04422, and 21.04423 to read as follows:

Sec. 21.04421. TRADITIONAL TEACHER PREPARATION. (a) In proposing rules under this subchapter regarding training requirements for a candidate seeking certification through a traditional teacher preparation route in which a candidate may concurrently receive an undergraduate or master's degree and a certification to teach a subject area at a particular grade level,

the board shall require the candidate to complete substantial preservice practice in a prekindergarten through grade 12 classroom.

(b) The rules proposed under Subsection (a) must require training to be provided synchronously. The board may approve components of the training to be delivered asynchronously on application by an educator preparation program.

Sec. 21.04422. TEACHER RESIDENCY PREPARATION. (a) The board shall propose rules under this subchapter to create a teacher residency preparation route.

(b) In proposing rules for a teacher residency preparation route under this section, the board must require that the program:

(1) use research-based best practices for recruiting and admitting candidates into the program;

(2) integrate course work, classroom practice, formal observation, and feedback;

(3) require a candidate to receive preservice practice in a prekindergarten through grade 12 classroom for at least one full school year;

(4) use multiple assessments to measure a candidate's progress; and

(5) provide training synchronously, unless the educator preparation program applies to and receives approval from the board

for an exception allowing the program to provide training asynchronously.

Sec. 21.04423. ALTERNATIVE TEACHER PREPARATION. In proposing rules under this subchapter regarding training requirements for a candidate who has previously earned a degree and is seeking certification through an alternative teacher preparation route, the board shall establish:

(1) a preservice alternative teacher preparation route that:

(A) requires the candidate to complete substantial preservice practice in a prekindergarten through grade 12 classroom, which may include time spent serving as a paraprofessional; and

(B) provides training synchronously, unless the educator preparation program applies to and receives approval from the board for an exception allowing the program to provide training asynchronously; and

(2) an alternative teacher preparation route that allows for flexibility in how a candidate may demonstrate proficiency for certification.

SECTION 2.09. Section 21.0443, Education Code, is amended to read as follows:

Sec. 21.0443. EDUCATOR PREPARATION PROGRAM APPROVAL AND

RENEWAL. (a) The board shall propose rules to establish standards to govern the approval or renewal of approval of:

(1) educator preparation programs; ~~and~~

(2) the teacher preparation routes established under Sections 21.04421, 21.04422, and 21.04423; and

(3) certification fields authorized to be offered by an educator preparation program.

(a-1) The board may review an educator preparation program's curriculum:

(1) before the approval or renewal of approval of the program; and

(2) at any time after the approval or renewal of the approval of the program to ensure the program remains eligible for approval by demonstrating that any changes to curriculum requirements proposed by the board since the most recent review have been incorporated into the curriculum.

(b) To be eligible for approval or renewal of approval, an educator preparation program must:

(1) incorporate proactive instructional planning techniques throughout coursework ~~(course-work)~~ and across content areas using a framework that:

(A) provides flexibility in the ways:

(i) information is presented;

(ii) students respond or demonstrate knowledge and skills; and

(iii) students are engaged;

(B) reduces barriers in instruction;

(C) provides appropriate accommodations, supports, and challenges; and

(D) maintains high achievement expectations for all students, including students with disabilities and students of limited English proficiency;

(2) integrate inclusive practices for all students, including students with disabilities, and evidence-based instruction and intervention strategies throughout coursework [~~course work~~], clinical experience, and student teaching;

(3) ensure that the program complies in the same manner as if the program were a school district with:

(A) the prohibitions and requirements under Sections 28.0022(a)(1)-(4) regarding program instructional personnel and coursework;

(B) the prohibitions under Section 28.0022(c) regarding the acceptance of private funds; and

(C) the prohibitions under Section 28.0022(d) regarding the punishment of students;

(4) if applicable, meet the requirements of Section

21.044(i);

(5) adequately prepare candidates for educator certification; and

(6) ~~[(4)]~~ meet the standards and requirements of the board.

(b-1) Nothing in Subsection (b)(3) may be construed as limiting instruction in the essential knowledge and skills adopted under Subchapter A, Chapter 28.

(b-2) Subsection (b)(3) applies only to coursework offered by an educator preparation program for purposes of preparing a candidate to meet educator preparation and certification requirements. Subsection (b)(3) does not apply to other coursework offered by an entity providing an educator preparation program that is not included in the educator preparation program's requirements.

(c) The board shall require that each educator preparation program be reviewed for renewal of approval at least every five years. The board may require each educator preparation program to be reviewed for renewal of approval at least annually. The board shall adopt an evaluation process to be used in reviewing an educator preparation program for renewal of approval.

(d) In adopting the evaluation process under Subsection (c), the board shall consider including:

(1) quality indicators that reflect effective program practices; and

(2) measures that provide for the observation of program practices to ensure program quality.

SECTION 2.11. Section 21.049, Education Code, is amended to read as follows:

Sec. 21.049. ALTERNATIVE EDUCATOR PREPARATION PROGRAMS ~~[CERTIFICATION]~~. (a) To provide a continuing additional source of qualified educators, the board shall propose rules providing that ~~[for]~~ educator certification programs may be provided by an institution of higher education or another entity ~~[as an alternative to traditional educator preparation programs]~~. The rules may not provide that a person may be certified under this section only if there is a demonstrated shortage of educators in a school district or subject area.

(b) The board may not require a person employed as a teacher in an alternative education program under Section 37.008 or a juvenile justice alternative education program under Section 37.011 for at least three years to complete an alternative educator preparation ~~[certification]~~ program adopted under this section before taking the appropriate certification examination.

SECTION 2.12. Sections 21.055(a), (b), and (c), Education Code, are amended to read as follows:

(a) As provided by this section, a school district may issue a school district teaching permit and employ as a teacher of record a person who does not hold a teaching certificate issued by the board on approval by the district's board of trustees.

(b) To be eligible for a school district teaching permit under this section, a person must:

(1) hold a baccalaureate degree; or

(2) have served at or been employed by the district as a paraprofessional for not less than 180 days during the preceding calendar year and be:

(A) currently enrolled in a postsecondary program that could lead to a baccalaureate degree; and

(B) on track to earn a baccalaureate degree and receive a probationary certificate not later than the third anniversary of the date the person receives a school district teaching permit under this section.

(c) Promptly after employing a person described by Subsection (b)(1) under this section, a school district shall send to the commissioner a written statement identifying the person, the person's qualifications as a teacher, and the subject or class the person will teach. The person may teach the subject or class pending action by the commissioner.

SECTION 2.13. Section 21.057, Education Code, is amended by

adding Subsection (f) to read as follows:

(f) If the agency has developed a model notice for purposes of this section, the superintendent must use that model to provide the notice required under this section.

SECTION 2.14. Subchapter B, Chapter 21, Education Code, is amended by adding Section 21.067 to read as follows:

Sec. 21.067. EDUCATOR PREPARATION MATERIALS AND TRAINING.

(a) The commissioner shall develop and make available:

(1) instructional materials for use in educator preparation programs under this subchapter; and

(2) training for faculty responsible for preparing educator candidates.

(b) The materials and training developed under Subsection (a) must:

(1) be research-based;

(2) support the development of proficiency in the knowledge and skills specified by rules proposed under Section 21.044(a)(1); and

(3) allow for an educator candidate to demonstrate the candidate's proficiency, including proficiency in the knowledge and skills described by Subdivision (2).

SECTION 2.15. Section 21.402, Education Code, is amended by adding Subsections (f-1), (f-2), (f-3), and (f-4) to read as

follows:

(f-1) A school district must pay to a classroom teacher with zero years of experience who holds a certificate under Section 21.0412(a)(1), (2), or (3) a minimum salary that is greater than the minimum salary paid to a classroom teacher with zero years of experience who does not hold a certificate under Section 21.0412(a)(1), (2), or (3).

(f-2) The board of trustees of a school district may adopt minimum salaries to satisfy the requirements of Subsection (f-1) as follows:

(1) for a classroom teacher who holds a standard certificate or intern with preservice experience certificate under Section 21.0412(a)(1) or (3), \$3,000; and

(2) for a classroom teacher who holds an enhanced standard certificate under Section 21.0412(a)(2), \$6,000.

(f-3) Subsection (f-1) does not apply to a stipend or other form of compensation not included in a classroom teacher's minimum salary under this section.

(f-4) A school district may not adopt a salary schedule that differentiates classroom teacher salaries based solely on a teacher's certification pathway for teachers who have five or more years of teaching experience.

SECTION 2.16. Section 21.4552(f), Education Code, is amended

to read as follows:

(f) From money appropriated or otherwise available for the purpose, including an allotment under Section 48.108, a school district shall provide to an educator preparation program for each teacher enrolled in the educator preparation program who holds an intern with preservice experience certificate under Section 21.0412(a)(3) and completes a literacy achievement academy under this section while employed by the district a one-time payment of \$1,000 or another amount set by the agency [~~This section expires September 1, 2027~~].

SECTION 2.17. Section 21.4553(f), Education Code, is amended to read as follows:

(f) From money appropriated or otherwise available for the purpose, including an allotment under Section 48.108, a school district shall provide to an educator preparation program for each teacher enrolled in the educator preparation program who holds an intern with preservice experience certificate under Section 21.0412(a)(3) and completes a mathematics achievement academy under this section while employed by the district a one-time payment of \$500 or another amount set by the agency [~~This section expires September 1, 2027~~].

SECTION 2.18. Chapter 21, Education Code, is amended by adding Subchapter R to read as follows:

SUBCHAPTER R. PREPARING AND RETAINING EDUCATORS THROUGH
PARTNERSHIP PROGRAMS

Sec. 21.901. DEFINITIONS. In this subchapter:

(1) "Alternative partnership preservice program" means the Preparing and Retaining Educators through Partnership Alternative Preservice Program established under Section 21.905.

(2) "Board" means the State Board for Educator Certification.

(3) "Cooperating teacher" means a classroom teacher who:

(A) has at least three full school years of teaching experience with a superior record of assisting students in achieving improvement in student performance;

(B) is employed as a teacher of record by a school district or open-enrollment charter school participating in a partnership preservice program or grow your own partnership program under this subchapter and paired with one or more teacher candidates, students, or employees who are participating in a program under this subchapter; and

(C) provides coaching in the teacher's classroom to one or more teacher candidates, students, or employees participating in a program under this subchapter.

(4) "Grow your own partnership program" means the

Preparing and Retaining Educators through Partnership Grow Your Own Partnership Program established under Section 21.906.

(5) "Mentor teacher" means a mentor teacher as described by Section 21.458.

(6) "Partnership preservice program" means a Preparing and Retaining Educators through Partnership Preservice Program established under Section 21.902.

(7) "Residency partnership preservice program" means the Preparing and Retaining Educators through Partnership Residency Preservice Program established under Section 21.904.

(8) "Teacher candidate" means a person enrolled in an educator preparation program participating in a partnership preservice program.

(9) "Traditional partnership preservice program" means the Preparing and Retaining Educators through Partnership Traditional Preservice Program established under Section 21.903.

Sec. 21.902. PREPARING AND RETAINING EDUCATORS THROUGH PARTNERSHIP PRESERVICE PROGRAMS. (a) The commissioner shall establish Preparing and Retaining Educators through Partnership Preservice Programs to enable qualified educator preparation programs, as determined by the commissioner, to form partnerships with school districts and open-enrollment charter schools to provide preservice practice opportunities in a prekindergarten

through grade 12 classroom for teacher candidates at the district or school through the traditional partnership preservice program, the residency partnership preservice program, or the alternative partnership preservice program.

(b) A partnership preservice program must be designed to:

(1) allow teacher candidates to receive field-based experience working with cooperating teachers in prekindergarten through grade 12 classrooms; and

(2) gradually increase the amount of time a teacher candidate spends engaging in instructional responsibilities, including observation, co-teaching, and lead-teaching responsibilities.

(c) A school district or open-enrollment charter school participating in a partnership preservice program shall:

(1) enter into a written agreement with an approved educator preparation program to:

(A) provide a teacher candidate with clinical teaching opportunities at the district or school in the subject area and grade level for which the candidate seeks certification; and

(B) pair the teacher candidate with a cooperating teacher who has successfully completed a training program for cooperating teachers that, if required by the agency, must be

established or adopted by the agency;

(2) use money received under Section 48.157 only to implement the partnership preservice program;

(3) ensure that a teacher candidate is mentored by a mentor teacher who has completed mentorship training under Section 21.907 for the candidate's first two years as a teacher of record after completing a partnership preservice program; and

(4) provide any information required by the agency regarding the district's or school's implementation of a partnership preservice program.

(d) A school district or open-enrollment charter school may only pair a teacher candidate with a cooperating teacher who agrees to participate in that role in a partnership preservice program at the district or school.

(e) A teacher candidate participating in a partnership preservice program may not serve:

(1) as a teacher of record; or

(2) except as provided by Subsection (f), in a position in which the student or employee has the primary or sole responsibility of providing instruction or supervision to students.

(f) A teacher candidate participating in a partnership preservice program may serve in a position described by Subsection

(e)(2) for the limited purpose of gaining experience in the position. The teacher candidate's amount of time serving in that position may not exceed the amount of time during which the teacher of record for the students has the primary or sole responsibility of providing instruction or supervision to those students.

(g) To be qualified to participate in a partnership preservice program, an educator preparation program must meet the requirements under Section 21.044(i).

Sec. 21.903. PREPARING AND RETAINING EDUCATORS THROUGH PARTNERSHIP TRADITIONAL PRESERVICE PROGRAM. (a) The commissioner shall establish the Preparing and Retaining Educators through Partnership Traditional Preservice Program as a partnership preservice program to enable qualified educator preparation programs, as determined by the commissioner, that meet the traditional teacher preparation requirements under Section 21.04421 to form partnerships with school districts or open-enrollment charter schools to help prepare candidates for a standard certificate.

(b) The program must be designed to:

(1) meet the requirements of a partnership preservice program under Section 21.902; and

(2) allow a teacher candidate to satisfy the traditional teacher preparation requirements under Section

21.04421.

(c) A school district or open-enrollment charter school participating in the traditional partnership preservice program shall use money received under Section 48.157(b)(1) to provide compensation to:

(1) teacher candidates for preservice practice hours at the district or school in an amount of at least \$3,000 for salary; and

(2) cooperating teachers who are paired with teacher candidates at the district or school in an amount of at least \$1,000.

(d) In addition to the amount provided by Subsection (c)(1), a school district or open-enrollment charter school shall provide compensation to teacher candidates in any amount above the amount provided by that subdivision for salary using money received under Section 48.157 or from any other available source.

Sec. 21.904. PREPARING AND RETAINING EDUCATORS THROUGH PARTNERSHIP RESIDENCY PRESERVICE PROGRAM. (a) The commissioner shall establish the Preparing and Retaining Educators through Partnership Residency Preservice Program as a partnership preservice program to enable qualified educator preparation programs, as determined by the commissioner, that meet the teacher residency preparation requirements under Section 21.04422 to form

partnerships with school districts or open-enrollment charter schools to help prepare candidates for an enhanced standard certificate.

(b) The program must be designed to:

(1) meet the requirements of a partnership preservice program under Section 21.902; and

(2) allow a teacher candidate to satisfy the teacher residency preparation requirements under Section 21.04422.

(c) A school district or open-enrollment charter school participating in the residency partnership preservice program shall use money received under Section 48.157(b)(2) to provide compensation to:

(1) teacher candidates for preservice practice hours at the district or school in an amount of at least \$10,000 for salary; and

(2) cooperating teachers who are paired with teacher candidates at the district or school in an amount of at least \$2,000.

(d) In addition to the amount provided by Subsection (c)(1), a school district or open-enrollment charter school shall provide compensation to teacher candidates in an amount of at least \$10,000 for salary using money received under Section 48.157 or from any other available source.

(e) An educator preparation program is not required to incorporate the instruction described by Section 21.044(i) to be eligible to participate in a residency partnership preservice program until the date on which rules proposed by the State Board for Educator Certification to implement that subsection take effect. This subsection expires September 1, 2028.

Sec. 21.905. PREPARING AND RETAINING EDUCATORS THROUGH PARTNERSHIP ALTERNATIVE PRESERVICE PROGRAM. (a) The commissioner shall establish the Preparing and Retaining Educators through Partnership Alternative Preservice Program as a partnership preservice program to enable qualified educator preparation programs, as determined by the commissioner, that meet the preservice alternative teacher preparation requirements under Section 21.04423 to form partnerships with school districts or open-enrollment charter schools to help prepare candidates for an intern with preservice experience certificate or standard certificate.

(b) The program must be designed to:

(1) meet the requirements of a partnership preservice program under Section 21.902; and

(2) allow a teacher candidate to satisfy the preservice alternative teacher preparation requirements under Section 21.04423(1).

(c) A school district or open-enrollment charter school participating in the alternative partnership preservice program shall use money received under Section 48.157(b)(3) to provide compensation to:

(1) teacher candidates for preservice practice hours at the district or school in an amount of at least \$3,000 for salary; and

(2) cooperating teachers who are paired with teacher candidates at the district or school in an amount of at least \$1,000.

(d) In addition to the amount provided by Subsection (c)(1), a school district or open-enrollment charter school shall provide compensation to teacher candidates in any amount above the amount provided by that subdivision for salary using money received under Section 48.157 or from any other available source.

Sec. 21.906. PREPARING AND RETAINING EDUCATORS THROUGH PARTNERSHIP GROW YOUR OWN PARTNERSHIP PROGRAM. (a) The commissioner shall establish the Preparing and Retaining Educators through Partnership Grow Your Own Partnership Program to enable qualified institutions of higher education and educator preparation programs, as determined by the commissioner, to form partnerships with school districts or open-enrollment charter schools to establish innovative staffing pipelines to ensure the

availability of high-quality classroom teachers to benefit future district or school students.

(b) The grow your own partnership program must be designed to form partnerships that support:

(1) high school students in completing career and technical education courses that help prepare the students to become classroom teachers; or

(2) district or school employees who do not hold a teaching certificate in completing a bachelor's degree to enable the person to become a classroom teacher while employed by the district or school.

(c) A school district or open-enrollment charter school may participate in a grow your own partnership program only if the district or school has been approved to participate in a partnership preservice program.

(d) A school district or open-enrollment charter school participating in the grow your own partnership program shall:

(1) for a partnership described by Subsection (b)(1), provide:

(A) authentic opportunities, which may be paid or unpaid, for students to practice teaching under the supervision of one or more cooperating teachers; and

(B) guidance and other transition supports as a

student begins an undergraduate degree program that offers a route to teacher preparation;

(2) for a partnership described by Subsection (b)(2), provide for a district or school employee:

(A) scheduled release time to support the completion of a bachelor's degree;

(B) authentic opportunities to practice teaching under the supervision of one or more cooperating teachers;

(C) on-the-job training aligned with the standards for educator certification established by the board;

(D) a job assignment that includes instructional support for students enrolled in the district or school; and

(E) guidance and other transition supports as the employee begins a program to satisfy the teacher preparation requirements under Section 21.04421, 21.04422, or 21.04423;

(3) enter into a written agreement with an institution of higher education or educator preparation program;

(4) require an employee participating in a partnership described by Subsection (b)(2) to, as a condition for participation, earn a bachelor's degree and enroll in an educator preparation program within three years of beginning participation in the partnership; and

(5) provide any information required by the agency

regarding the district's or school's implementation of the grow your own partnership program.

(e) A school district or open-enrollment charter school may use money received under Section 48.157 to implement the grow your own partnership program and pay tuition and fees for students or employees participating in the program.

(f) A school district or open-enrollment charter school may only pair a student or employee participating in the program with a cooperating teacher who agrees to participate in that role in a grow your own partnership program at the district or school.

(g) A student or employee participating in the program may not serve:

(1) as a teacher of record; or

(2) except as provided by Subsection (h), in a position in which the student or employee has the primary or sole responsibility of providing instruction or supervision to students.

(h) A student or employee participating in the program may serve in a position described by Subsection (g)(2) for the limited purpose of gaining experience in the position. The student's or employee's amount of time serving in that position may not exceed the amount of time during which the teacher of record for the students has the primary or sole responsibility of providing

instruction or supervision to those students.

Sec. 21.907. PREPARING AND RETAINING EDUCATORS THROUGH PARTNERSHIP MENTORSHIP PROGRAM. (a) The commissioner shall establish a preparing and retaining educators through partnership mentorship program through which participating school districts or open-enrollment charter schools implement a mentoring program that meets the requirements of Section 21.458 for classroom teachers who have less than two years of teaching experience.

(b) A school district or open-enrollment charter school participating in the program must require a classroom teacher who serves as a mentor teacher to annually complete a training program for mentor teachers established or adopted by the agency.

(c) A school district or open-enrollment charter school shall use money received under Section 48.157(b)(5) to provide stipends for mentor teachers in an amount of at least \$1,000.

(d) If any money remains after providing a stipend to mentor teachers in accordance with Subsection (c), the district may use that money to provide:

(1) scheduled release time for mentor teachers and classroom teachers being mentored to meet and engage in mentoring activities; and

(2) support for mentor teachers through mentor training and strategic staffing training.

Sec. 21.908. EDUCATOR PREPARATION PROGRAM SUPPORT. The agency shall develop and maintain a program to assist educator preparation programs in implementing this Subchapter.

Sec. 21.909. PROGRAM STANDARDS AND PERFORMANCE GOALS. (a) The commissioner shall adopt rules establishing:

(1) standards for partnership programs established under this subchapter, including eligibility criteria for educator preparation programs and institutions of higher education to participate in the partnership programs; and

(2) performance goals for partnership programs established under this subchapter.

(b) The commissioner shall periodically review the performance of each partnership program established under this subchapter to ensure the program meets the standards and performance goals established under Subsection (a).

(c) If, in reviewing a partnership program under Subsection (b), the commissioner determines that the program has failed to meet a performance goal established under Subsection (a), the commissioner shall prohibit the entity that failed to meet the performance goal from participating in a partnership program under this subchapter for a period not to exceed five years.

Sec. 21.910. AUTHORITY TO ACCEPT CERTAIN MONEY. The commissioner may solicit and accept gifts, grants, and donations

from public and private entities to use for the purposes of this subchapter.

Sec. 21.911. RULES. The commissioner shall adopt rules as necessary to implement this subchapter.

SECTION 2.19. Subchapter D, Chapter 48, Education Code, is amended by adding Section 48.157 to read as follows:

Sec. 48.157. PREPARING AND RETAINING EDUCATORS THROUGH PARTNERSHIP PROGRAM ALLOTMENT. (a) In this section, "teacher candidate" has the meaning assigned by Section 21.901.

(b) Subject to Subsections (f) and (g), a school district is entitled to an annual allotment equal to each of the following applicable amounts:

(1) for each teacher candidate completing preservice practice hours at the district under Section 21.903, the sum of:

(A) \$10,000; and

(B) the high needs and rural factor, as determined under Subsection (c), multiplied by \$2,000;

(2) for each teacher candidate completing preservice practice hours at the district under Section 21.904, the sum of:

(A) \$24,000; and

(B) the high needs and rural factor, as determined under Subsection (c), multiplied by \$3,000;

(3) for each teacher candidate completing preservice

practice hours at the district under Section 21.905, the sum of:

(A) \$10,000; and

(B) the high needs and rural factor, as determined under Subsection (c), multiplied by \$2,000;

(4) for each district employee participating in a partnership described by Section 21.906(b)(2), the sum of:

(A) \$8,000; and

(B) the high needs and rural factor, as determined under Subsection (c), multiplied by \$1,000; and

(5) for each classroom teacher being mentored under the preparing and retaining educators through partnership mentorship program established under Section 21.907, \$3,000.

(c) The high needs and rural factor is the lesser of:

(1) the average of the point value assigned to each student at a district campus under Sections 48.112(e) and (f); or

(2) 4.0.

(d) In addition to the funding under Subsection (b), a district is entitled to an additional \$2,000 for each teacher candidate described by Subsection (b)(1), (2), or (3) who is a candidate for certification in bilingual education or special education.

(e) The Texas School for the Deaf and the Texas School for the Blind and Visually Impaired are entitled to an allotment under

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

(f) Unless a greater number of individuals is provided for by appropriation for that school year, a school district may receive an allotment for a school year for not more than:

(1) except as provided by Subsection (g), 40 individuals under each of Subsections (b)(2), (4), and (5); and

(2) a total of 80 individuals under Subsections (b)(1) and (3).

(g) If more than 40 individuals are eligible to receive an allotment under Subsection (b)(2) for a school district, the district is entitled to an allotment under Subsection (b)(1) for those individuals, subject to the limitation under Subsection (f)(2).

(h) For purposes of offsetting tuition, fees, and administrative costs, using money to which a school district is otherwise entitled under Subsection (b), the commissioner shall provide to a teacher candidate's educator preparation program each of the following applicable amounts and reduce the district's

allotment under that subsection accordingly:

(1) \$5,000 for each teacher candidate who completed a partnership preservice program under Section 21.903 who obtains a standard certificate and has completed one year of employment with the district;

(2) \$10,000 for each teacher candidate who completed a partnership preservice program under Section 21.904 who obtains an enhanced standard certificate and has completed one year of employment with the district; and

(3) \$2,500 for each teacher candidate participating in the alternative partnership preservice program under Section 21.905 who holds an intern with preservice experience certificate, and an additional \$2,500 for each teacher candidate who completes the alternative partnership preservice program and obtains a standard certificate under Section 21.0412.

(i) An institution of higher education that operates an educator preparation program that receives money under Subsection (h) must spend not less than 85 percent of the money received on the educator preparation program for which the money was received.

(j) The agency shall only provide:

(1) an initial payment of \$4,000 of the money the school district is entitled to receive under Subsection (b)(1) for a teacher candidate until the teacher candidate successfully

completes the requirements of a partnership preservice program under Section 21.903 by the deadline established by the agency;

(2) an initial payment of \$12,000 of the money the school district is entitled to receive under Subsection (b)(2) for a teacher candidate until the teacher candidate successfully completes the requirements of a partnership preservice program under Section 21.904 by the deadline established by the agency;

(3) an initial payment of \$4,000 of the money the school district is entitled to receive under Subsection (b)(3) for a teacher candidate until the teacher candidate successfully completes the requirements of an alternative partnership preservice program under Section 21.905 by the deadline established by the agency and issuance of an intern with preservice experience certificate; and

(4) 50 percent of the money the school district is entitled to receive under Subsection (b)(4) for a district employee on the employee's successful completion of a bachelor's degree by the deadline established by the agency.

SECTION 2.20. Subchapter G, Chapter 48, Education Code, is amended by adding Section 48.310 to read as follows:

Sec. 48.310. ALLOTMENT FOR COMPLETION OF TEACHER LITERACY OR MATHEMATICS ACHIEVEMENT ACADEMIES. An educator preparation program participating in a Preparing and Retaining Educators

through Partnership Preservice Program under Section 21.902, 21.903, 21.904, or 21.905 is entitled to an annual allotment for each teacher candidate who completes a literacy achievement academy or mathematics achievement academy under Section 21.4552 or 21.4553 approved by the agency for the purpose in the amount of:

(1) \$1,000, or a greater amount set by appropriation for that school year, for the completion of a literacy achievement academy; or

(2) \$500, or a greater amount set by appropriation for that school year, for the completion of a mathematics achievement academy.

SECTION 2.21. (a) The following provisions of the Education Code are repealed:

- (1) Section 21.051(a);
- (2) Subchapter Q, Chapter 21; and
- (3) Section 48.114.

(b) Section 825.4092(f), Government Code, is repealed.

SECTION 2.22. Section 12A.004(a), Education Code, as amended by this article, applies to each local innovation plan adopted under Chapter 12A, Education Code, regardless of whether the plan was adopted before, on, or after the effective date of this article. A local innovation plan adopted or renewed before the

effective date of this article must comply with Section 12A.004(a), Education Code, as amended by this article, not later than September 1, 2026.

SECTION 2.23. (a) Except as otherwise provided by Subsection (b) of this section, this article applies beginning with the 2025-2026 school year.

(b) Sections 21.0032 48.157, and 48.310, Education Code, as added by this article; Sections 19.007(g) and 21.402, Education Code, as amended by this article; and the repeal of Section 48.114, Education Code, apply beginning with the 2026-2027 school year.

SECTION 2.24. (a) This article takes effect immediately if this Act receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this article takes effect September 1, 2025.

ARTICLE 3. RIGHTS OF PUBLIC SCHOOL EDUCATORS

SECTION 3.01. Section 11.1513, Education Code, is amended by amending Subsections (d) and (e) and adding Subsection (l) to read as follows:

(d) The employment policy must provide that not later than the fifth [~~10th~~] school day before the date on which a district fills a vacant position for which a certificate or license is required as provided by Section 21.003, other than a position that

affects the safety and security of students as determined by the board of trustees, the district must provide to each current district employee:

(1) notice of the position by posting the position on:

(A) a bulletin board at:

(i) a place convenient to the public in the district's central administrative office; and

(ii) the central administrative office of each campus in the district during any time the office is open; or

(B) the district's Internet website, if the district has a website; and

(2) a reasonable opportunity to apply for the position.

(e) If, during the school year, the district must fill a vacant position held by a teacher, as defined by Section 21.201, in less than five [~~10~~] school days, the district:

(1) must provide notice of the position in the manner described by Subsection (d)(1) as soon as possible after the vacancy occurs;

(2) is not required to provide the notice for five [~~10~~] school days before filling the position; and

(3) is not required to comply with Subsection (d)(2).

(1) The employment policy must provide that for purposes of determining the amount of a reduction in the salary of a classroom

teacher, full-time counselor, or full-time librarian for unpaid leave, the employee's daily rate of pay is computed by dividing the employee's annual salary by the number of days the employee is expected to work for that school year.

SECTION 3.02. Subchapter B, Chapter 21, Education Code, is amended by adding Sections 21.0411 and 21.04893 to read as follows:

Sec. 21.0411. WAIVER OR PAYMENT OF CERTAIN EXAMINATION AND CERTIFICATION FEES. (a) Notwithstanding a rule adopted under Section 21.041(c), the board shall, for a person applying for a certification in special education, bilingual education, or another area specified by the General Appropriations Act, waive:

(1) a certification examination fee imposed by the board for the first administration of the examination to the person; and

(2) a fee associated with the application for certification by the person.

(b) The board shall pay to a vendor that administers a certification examination described by Subsection (a) a fee assessed by that vendor for the examination of a person applying for a certification described by Subsection (a) for the first administration of the examination to the person.

Sec. 21.04893. BILINGUAL TARGET LANGUAGE PROFICIENCY TEST. The board shall propose rules to allow a person seeking

certification under this subchapter who fails to perform satisfactorily on the Bilingual Target Language Proficiency Test to:

(1) retake only the sections of the test that include the domains on which the person failed to perform satisfactorily; and

(2) during a retake of the test described by Subdivision (1), demonstrate the person's language proficiency through the completion of fewer components, including eliminating a component that requires the preparation of a lesson plan for a person who fails to perform satisfactorily on a domain requiring completion of that component.

SECTION 3.03. Section 21.105, Education Code, is amended by amending Subsection (c) and adding Subsection (g) to read as follows:

(c) Subject to Subsections (e), ~~[and]~~ (f), and (g), on written complaint by the employing district, the State Board for Educator Certification may impose sanctions against a teacher employed under a probationary contract who:

- (1) resigns;
- (2) fails without good cause to comply with Subsection (a) or (b); and
- (3) fails to perform the contract.

(g) The State Board for Educator Certification may not impose a sanction under Subsection (c) against a teacher who relinquishes a position under a probationary contract and leaves the employment of the district after the 45th day before the first day of instruction for the upcoming school year in violation of Subsection (a) and without the consent of the board of trustees under Subsection (b) if the teacher's failure to comply with Subsection (a) was due to:

(1) a serious illness or health condition of the teacher or a close family member of the teacher;

(2) the teacher's relocation because the teacher's spouse or a partner who resides with the teacher changes employers or location of employment;

(3) a significant change in the needs of the teacher's family in a manner that requires the teacher to:

(A) relocate; or

(B) forgo employment during a period of required employment under the teacher's contract; or

(4) the teacher's reasonable belief that the teacher had written permission from the school district's administration to resign.

SECTION 3.04. Section 21.160, Education Code, is amended by amending Subsection (c) and adding Subsection (g) to read as

follows:

(c) Subject to Subsections (e), ~~[and]~~ (f), and (g), on written complaint by the employing district, the State Board for Educator Certification may impose sanctions against a teacher who is employed under a continuing contract that obligates the district to employ the person for the following school year and who:

(1) resigns;

(2) fails without good cause to comply with Subsection (a) or (b); and

(3) fails to perform the contract.

(g) The State Board for Educator Certification may not impose a sanction under Subsection (c) against a teacher who relinquishes a position under a continuing contract and leaves the employment of the district after the 45th day before the first day of instruction of the upcoming school year in violation of Subsection (a) and without the consent of the board of trustees under Subsection (b) if the teacher's failure to comply with Subsection (a) was due to:

(1) a serious illness or health condition of the teacher or a close family member of the teacher;

(2) the teacher's relocation because the teacher's spouse or a partner who resides with the teacher changes employers or location of employment;

(3) a significant change in the needs of the teacher's family in a manner that requires the teacher to:

(A) relocate; or

(B) forgo employment during a period of required employment under the teacher's contract; or

(4) the teacher's reasonable belief that the teacher had written permission from the school district's administration to resign.

SECTION 3.05. Section 21.210, Education Code, is amended by amending Subsection (c) and adding Subsection (g) to read as follows:

(c) Subject to Subsections (e), ~~[and]~~ (f), and (g), on written complaint by the employing district, the State Board for Educator Certification may impose sanctions against a teacher who is employed under a term contract that obligates the district to employ the person for the following school year and who:

(1) resigns;

(2) fails without good cause to comply with Subsection (a) or (b); and

(3) fails to perform the contract.

(g) The State Board for Educator Certification may not impose a sanction under Subsection (c) against a teacher who relinquishes a position under a term contract and leaves the

employment of the district after the 45th day before the first day of instruction of the upcoming school year in violation of Subsection (a) and without the consent of the board of trustees under Subsection (b) if the teacher's failure to comply with Subsection (a) was due to:

(1) a serious illness or health condition of the teacher or a close family member of the teacher;

(2) the teacher's relocation because the teacher's spouse or a partner who resides with the teacher changes employers or location of employment;

(3) a significant change in the needs of the teacher's family in a manner that requires the teacher to:

(A) relocate; or

(B) forgo employment during a period of required employment under the teacher's contract; or

(4) the teacher's reasonable belief that the teacher had written permission from the school district's administration to resign.

SECTION 3.06. Section 21.257, Education Code, is amended by amending Subsection (a) and adding Subsection (f) to read as follows:

(a) Except as provided by Subsection (f), not ~~Not~~ later than the 60th day after the date on which the commissioner receives

a teacher's written request for a hearing, the hearing examiner shall complete the hearing and make a written recommendation that:

(1) includes proposed findings of fact and conclusions of law; and

(2) may include a proposal for granting relief.

(f) The hearing examiner may dismiss a hearing before completing the hearing or making a written recommendation if:

(1) the teacher requests the dismissal;

(2) the school district withdraws the proposed decision that is the basis of the hearing; or

(3) the teacher and school district request the dismissal after reaching a settlement regarding the proposed decision that is the basis of the hearing.

SECTION 3.07. Subchapter I, Chapter 21, Education Code, is amended by adding Section 21.418 to read as follows:

Sec. 21.418. ELECTION BY TEACHER TO USE UNPAID LEAVE. The board of trustees of a school district shall adopt a policy that provides a classroom teacher employed by the district the option to elect not to take the teacher's paid personal leave concurrently with unpaid leave the teacher is entitled to take under the Family and Medical Leave Act of 1993 (29 U.S.C. Section 2601 et seq.) for an absence due to pregnancy or the birth or adoption of a child.

SECTION 3.08. Subchapter J, Chapter 21, Education Code, is

amended by adding Sections 21.466 and 21.468 to read as follows:

Sec. 21.466. TEACHER QUALITY ASSISTANCE. (a) From money appropriated or otherwise available for the purpose, the agency shall develop training for and provide technical assistance to school districts and open-enrollment charter schools regarding:

(1) strategic compensation, staffing, and scheduling efforts that improve professional growth, teacher leadership and mentorship opportunities, and staff retention, including by identifying opportunities to reduce noninstructional duties from teachers;

(2) programs that encourage high school students, other members of the community in the area served by the district to become teachers, including by developing partnerships with educator preparation programs; and

(3) programs or strategies that school leaders may use to establish clear and attainable behavior expectations while proactively supporting students.

(b) From money appropriated or otherwise available, the agency shall provide grants to school districts and open-enrollment charter schools to implement initiatives developed under this section.

Sec. 21.468. TEACHER POSITION INFORMATION. The agency shall collect data from school districts and open-enrollment charter

schools to address teacher retention and recruitment, including the classifications, grade levels, subject areas, duration, and other relevant information regarding vacant teaching positions at districts and schools. The data may be collected through the Public Education Information Management System (PEIMS) or another electronic reporting mechanism specified by the agency.

SECTION 3.09. Section 26.011, Education Code, is amended by adding Subsection (c) to read as follows:

(c) A grievance procedure adopted under Subsection (a) must require that, for a complaint filed against a teacher or other employee, the school district provide:

(1) notice of the complaint to the teacher or employee against whom the complaint was filed; and

(2) sufficient opportunity for the teacher or employee against whom the complaint was filed to submit a written response to the complaint to be included in the record.

SECTION 3.10. Section 37.002, Education Code, is amended by amending Subsections (b), (c), and (d) and adding Subsections (b-2), (b-3), (c-1), (c-2), (e-1), (e-2), and (f) to read as follows:

(b) A teacher may remove from class a student who:

(1) repeatedly interferes [~~who has been documented by the teacher to repeatedly interfere~~] with the teacher's ability to communicate effectively with the students in the class or with the

ability of the student's classmates to learn; ~~[or]~~

(2) demonstrates ~~[whose]~~ behavior that is unruly, disruptive, or abusive toward the teacher, another adult, or another student; or

(3) engages in conduct that constitutes bullying, as defined by Section 37.0832 ~~[determines is so unruly, disruptive, or abusive that it seriously interferes with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn].~~

(b-2) A teacher, campus behavior coordinator, or other appropriate administrator shall notify a parent or person standing in parental relation to a student of the removal of a student under this section.

(b-3) Subject to Sections 28.0022(a)(2) and (d), a teacher may remove a student from class under Subsection (b) of this section based on a single incident of behavior described by Subsection (b)(1), (2), or (3).

(c) If a teacher removes a student from class under Subsection (b), the principal may place the student into another appropriate classroom, into in-school suspension, or into a disciplinary alternative education program as provided by Section 37.008. The principal may not return the student to that teacher's class without the teacher's written consent unless the committee

established under Section 37.003 determines that such placement is the best or only alternative available and, not later than the third class day after the day on which the student was removed from class, a conference in which the teacher has been provided an opportunity to participate has been held in accordance with Section 37.009(a). The principal may not return the student to that teacher's class unless the teacher provides written consent for the student's return or a return to class plan has been prepared for that student. The principal may only designate an employee of the school whose primary duties do not include classroom instruction to create a return to class plan. The terms of the removal may prohibit the student from attending or participating in school-sponsored or school-related activity.

(c-1) A return to class plan required under Subsection (c) must be created before or at the conference described by that subsection. A plan created before the conference must be discussed at the conference.

(c-2) The commissioner shall adopt a model return to class plan for use by a school district in creating a return to class plan for a student under Subsection (c).

(d) A teacher shall remove from class and send to the principal for placement in a disciplinary alternative education program or for expulsion, as appropriate, a student who engages in

conduct described under Section 37.006 or 37.007. The student may not be returned to that teacher's class without the teacher's written consent unless the committee established under Section 37.003 determines that such placement is the best or only alternative available and a conference in which the teacher has been provided an opportunity to participate has been held in accordance with Section 37.009(a). If the teacher removed the student from class because the student has engaged in the elements of any offense listed in Section 37.006(a)(2)(B) or Section 37.007(a)(2)(A) or (b)(2)(C) against the teacher, the student may not be returned to the teacher's class without the teacher's written consent. The teacher may not be coerced to consent.

(e-1) A student may appeal the student's removal from class under this section to:

(1) the school's placement review committee established under Section 37.003; or

(2) the safe and supportive school team established under Section 37.115, in accordance with a district policy providing for such an appeal to be made to the team.

(e-2) The principal, campus behavior coordinator, or other appropriate administrator shall, at the conference required under Section 37.009(a), notify a student who has been removed from class under this section and the parent of or person standing in parental

relation to the student of the student's right to appeal under Subsection (e-1).

(f) Section 37.004 applies to the removal or placement under this section of a student with a disability who receives special education services.

SECTION 3.11. Section 37.115(c), Education Code, as amended by Chapters 896 (H.B. 3) and 948 (S.B. 1720), Acts of the 88th Legislature, Regular Session, 2023, is reenacted and amended to read as follows:

(c) The board of trustees of each school district shall establish a threat assessment and safe and supportive school team to serve at each campus of the district and shall adopt policies and procedures for the teams. The team is responsible for developing and implementing the safe and supportive school program under Subsection (b) at the district campus served by the team. The policies and procedures adopted under this section must:

(1) be consistent with the model policies and procedures developed by the Texas School Safety Center;

(2) require each team to complete training provided by the Texas School Safety Center or a regional education service center regarding evidence-based threat assessment programs;

(3) require each team established under this section to report the information required under Subsection (k) regarding the

team's activities to the agency; ~~and~~

(4) provide for:

(A) a district employee who reports a potential threat to a team to elect for the employee's identity to be confidential and not subject to disclosure under Chapter 552, Government Code, except as necessary for the team, the district, or law enforcement to investigate the potential threat; and

(B) the district to maintain a record of the identity of a district employee who elects for the employee's identity to be confidential under Paragraph (A);

(5) [4] require each district campus to establish a clear procedure for a student to report concerning behavior exhibited by another student for assessment by the team or other appropriate school employee; and

(6) require that, as soon as safe and practicable after an administrator or team for a district campus receives information regarding a threat made against that campus, including through social media, the administrator or team immediately provide to each member of the teaching staff, including teacher's aides, who may be directly affected by the threat notice that includes:

(A) a statement of the existence of the threat;

(B) the nature of the threat; and

(C) any other pertinent details to ensure student

and staff safety.

SECTION 3.12. Section 21.257(f), Education Code, as added by this article, applies only to a hearing before a hearing examiner commenced on or after the effective date of this article.

SECTION 3.13. Sections 11.1513(d) and (e), Education Code, as amended by this article, and Section 21.418, Education Code, as added by this article, apply beginning with the 2025-2026 school year.

SECTION 3.14. To the extent of any conflict between the changes made to the Education Code by this article and the changes made to the Education Code by another Act of the 89th Legislature, Regular Session, 2025, the changes made by this article prevail.

SECTION 3.15. This article takes effect immediately if this Act receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this article takes effect September 1, 2025.

ARTICLE 4. SPECIAL EDUCATION

SECTION 4.01. Section 7.021(b)(10), Education Code, is amended to read as follows:

(10) The agency shall carry out duties assigned under Section 30.002 concerning children who have visual impairments, are deaf or hard of hearing, or are deaf-blind [~~with visual~~]

impairments].

SECTION 4.02. Section 7.055(b)(25), Education Code, is amended to read as follows:

(25) The commissioner shall develop a system to distribute to school districts or regional education service centers a special supplemental allowance for students with visual impairments as required under Section 30.0021 [~~30.002~~].

SECTION 4.03. Section 8.051(d), Education Code, is amended to read as follows:

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

(1) training and assistance in:

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

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

(2) training and assistance in providing each program that qualifies for a funding allotment under Section 48.102, 48.1021, 48.103, 48.104, 48.105, or 48.109;

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

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

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

(6) assistance in complying with state laws and rules.

SECTION 4.04. Sections 28.025(c-7) and (c-8), Education Code, are amended to read as follows:

(c-7) Subject to Subsection (c-8), a student who is enrolled in a special education program under Subchapter A, Chapter 29, may earn the distinguished level of achievement under Subsection (b-15) or an endorsement on the student's transcript under Subsection (c-1) by:

(1) successfully completing, with or without modification of the curriculum:

(A) the curriculum requirements identified by the State Board of Education under Subsection (a); ~~and~~

(B) for the distinguished level of achievement, the additional curriculum requirements prescribed under Subsection (b-15); and

(C) for an endorsement, the additional ~~[endorsement]~~ curriculum requirements prescribed by the State Board of Education under Subsection (c-2); and

(2) successfully completing all curriculum requirements for the distinguished level of achievement or that endorsement adopted by the State Board of Education:

(A) without modification of the curriculum; or

(B) with modification of the curriculum, provided that the curriculum, as modified, is sufficiently rigorous as determined by the student's admission, review, and dismissal committee and documented in the student's individualized education program.

(c-8) For purposes of Subsection (c-7), the admission, review, and dismissal committee of a student in a special education program under Subchapter A, Chapter 29, shall determine whether the student is required to achieve satisfactory performance on an end-of-course assessment instrument to earn the distinguished level of achievement or an endorsement on the student's transcript.

SECTION 4.05. Section 29.001, Education Code, is amended to read as follows:

Sec. 29.001. IMPLEMENTATION OF SPECIAL EDUCATION LAW ~~[STATEWIDE PLAN]~~. (a) As the state education agency responsible for carrying out the purposes of Part B, Individuals

with Disabilities Education Act (20 U.S.C. Section 1411 et seq.),
the [The] agency shall develop, and revise [~~modify~~] as necessary,
a comprehensive system to ensure statewide and local compliance
[~~design, consistent~~] with federal and state law related to special
education[, ~~for the delivery of services to children with~~
~~disabilities in this state that includes rules for the~~
~~administration and funding of the special education program so~~
~~that a free appropriate public education is available to all of~~
~~those children between the ages of three and 21~~].

(b) The comprehensive system must [~~statewide design shall~~]
include the provision of services primarily through school
districts and shared services arrangements, supplemented by
regional education service centers.

(c) The comprehensive system must focus on maximizing
student outcomes and include [~~agency shall also develop and~~
~~implement a statewide plan with programmatic content that includes~~
~~procedures designed to~~]:

(1) rulemaking, technical assistance, guidance
documents, monitoring protocols, data elements necessary for
statewide reporting, and other resources as necessary to implement
and ensure compliance with federal and state law related to special
education [~~ensure state compliance with requirements for~~
~~supplemental federal funding for all state-administered programs~~]

~~involving the delivery of instructional or related services to students with disabilities];~~

(2) the facilitation of [~~facilitate~~] interagency coordination when other state agencies are involved in the delivery of instructional or related services to students with disabilities;

(3) the pursuit of [~~periodically assess statewide personnel needs in all areas of specialization related to special education and pursue~~] strategies to meet statewide special education and related services personnel [~~those~~] needs [~~through a consortium of representatives from regional education service centers, local education agencies, and institutions of higher education and through other available alternatives];~~

(4) ensuring [~~ensure~~] that regional education service centers throughout the state maintain a regional support function, which may include procedures for service centers to assist school districts in identifying existing public or private educational or related services in each region, cooperatively developing programs for students with disabilities, providing to or obtaining for school districts special equipment, delivering services, and facilitating [~~direct service delivery and a component designed to facilitate~~] the placement of students with disabilities who cannot be appropriately served in their resident districts;

(5) [~~allow the agency to~~] effectively monitoring [~~monitor~~] and periodically conducting [~~conduct~~] site visits of all school districts to ensure that rules adopted under this subchapter [~~section~~] are applied in a consistent and uniform manner, to ensure that districts are complying with those rules, and to ensure that annual statistical reports filed by the districts and not otherwise available through the Public Education Information Management System under Sections 48.008 and 48.009 are accurate and complete; and

(6) the provision of training and technical assistance to ensure that:

(A) appropriately trained personnel are involved in the diagnostic and evaluative procedures operating in all districts and that those personnel routinely serve on district multidisciplinary evaluation teams and admissions, review, and dismissal committees;

(B) [~~(7) ensure that~~] an individualized education program for each student with a disability is properly developed, implemented, and maintained in the least restrictive environment that is appropriate to meet the student's educational needs;

(C) appropriately trained personnel are available to students with disabilities who have significant behavioral

support needs, including by making behavioral support training available to each paraprofessional or teacher placed in a classroom or other setting that is intended to provide specialized behavioral supports to a student with a disability, as needed or at regular intervals as provided in the student's individualized education program;

(D) [~~(8)~~ ~~ensure that,~~] when appropriate, each student with a disability is provided an opportunity to participate in career and technology and physical education classes[~~, in addition to participating in regular or special classes~~];

(E) [~~(9)~~ ~~ensure that~~] each student with a disability is provided necessary related services;

(F) school districts have an opportunity to request technical assistance from the agency or a regional education service center in establishing classroom environments conducive to learning for students with disabilities, including environments for students whose data indicate behavior that significantly impedes the student's own learning and the learning of other students;

(G) [~~(10)~~ ~~ensure that~~] an individual assigned to act as a surrogate parent for a child with a disability, as provided by 20 U.S.C. Section 1415(b), is required to:

(i) [~~(A)~~] complete a training program that

complies with minimum standards established by agency rule;

(ii) [~~(B)~~] visit the child and the child's school;

(iii) [~~(C)~~] consult with persons involved in the child's education, including teachers, caseworkers, court-appointed volunteers, guardians ad litem, attorneys ad litem, foster parents, and caretakers;

(iv) [~~(D)~~] review the child's educational records;

(v) [~~(E)~~] attend meetings of the child's admission, review, and dismissal committee;

(vi) [~~(F)~~] exercise independent judgment in pursuing the child's interests; and

(vii) [~~(G)~~] exercise the child's due process rights under applicable state and federal law; and

(H) [~~(11)~~—ensure that] each district develops a process to be used by a teacher who instructs a student with a disability in a general education [~~regular~~] classroom setting:

(i) [~~(A)~~] to request a review of the student's individualized education program;

(ii) [~~(B)~~] to provide input in the development of the student's individualized education program;

(iii) [~~(C)~~] that provides for a timely

district response to the teacher's request; and

(iv) [+D+] that provides for notification to the student's parent or legal guardian of that response.

SECTION 4.06. Subchapter A, Chapter 29, Education Code, is amended by adding Section 29.0012 to read as follows:

Sec. 29.0012. ANNUAL MEETING ON SPECIAL EDUCATION. (a) At least once each year, the board of trustees of a school district or the governing body of an open-enrollment charter school shall include during a public meeting a discussion of the performance of students receiving special education services at the district or school.

(b) The agency by rule shall adopt a set of performance indicators for measuring and evaluating the quality of learning and achievement for students receiving special education services at the school district or open-enrollment charter school to be considered at a meeting held under this section. The indicators must include performance on the college, career, or military readiness outcomes described by Section 48.110.

SECTION 4.07. Section 29.003, Education Code, is amended to read as follows:

Sec. 29.003. ELIGIBILITY CRITERIA. (a) The agency shall develop specific eligibility criteria based on the general classifications established by this section and in accordance with

federal law [~~with reference to contemporary diagnostic or evaluative terminologies and techniques~~]. Eligible students with disabilities shall enjoy the right to a free appropriate public education, which may include instruction in the general education [~~regular~~] classroom, instruction through special teaching, or instruction through contracts approved under this subchapter. Instruction shall be supplemented by the provision of related services when appropriate.

(b) A student is eligible to participate in a school district's special education program [~~if the student~~]:

(1) from birth through [~~is not more than~~] 21 years of age if the student [~~and~~] has a visual [~~or auditory~~] impairment, is deaf or hard of hearing, or is deaf-blind and that disability prevents the student from being adequately or safely educated in public school without the provision of special education services; [~~or~~]

(2) from three years of age through nine years of age if the student is experiencing developmental delays as described by 20 U.S.C. Section 1401(3)(B) and defined by commissioner rule;
or

(3) from 3 years of age through [~~is at least three but not more than~~] 21 years of age if the student [~~and~~] has one or more of the [~~following~~] disabilities described by 20 U.S.C. Section

1401(3)(A) and that disability prevents the student from being adequately or safely educated in public school without the provision of special education services[+]

[~~(A) physical disability;~~

[~~(B) intellectual or developmental disability;~~

[~~(C) emotional disturbance;~~

[~~(D) learning disability;~~

[~~(E) autism;~~

[~~(F) speech disability; or~~

[~~(G) traumatic brain injury]~~.

SECTION 4.08. Sections 29.005(a), (d), and (e), Education Code, are amended to read as follows:

(a) Before a child is enrolled in a special education program of a school district, the district shall establish a committee composed of the persons required under 20 U.S.C. Section 1414(d) to develop the child's individualized education program. If a committee is required to include a general [~~regular~~] education teacher, the [~~regular education~~] teacher included must, to the extent practicable, be a teacher who is responsible for implementing a portion of the child's individualized education program.

(d) If the primary language of the child's parent is a language other than [~~is unable to speak~~] English, the district

shall:

(1) provide the parent with a written or audiotaped copy of the child's individualized education program translated into Spanish if Spanish is the parent's primary [~~native~~] language; or

(2) if the parent's primary [~~native~~] language is a language other than Spanish, make a good faith effort to provide the parent with a written or audiotaped copy of the child's individualized education program translated into the parent's primary [~~native~~] language.

(e) The commissioner by rule may require a school district to include in the individualized education program of a student with autism [~~or another pervasive developmental disorder~~] any information or requirement determined necessary to ensure the student receives a free appropriate public education as required under the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.).

SECTION 4.09. Section 29.0051, Education Code, is amended by adding Subsection (d) to read as follows:

(d) From federal money appropriated or otherwise available for the purpose, the commissioner may develop or procure the model form developed under Subsection (a) in a digital format. If the commissioner develops or procures the model form in a digital

format, the commissioner shall adopt rules regarding school district use of the form in that format.

SECTION 4.10. Subchapter A, Chapter 29, Education Code, is amended by adding Section 29.0056 to read as follows:

Sec. 29.0056. INFORMATION REGARDING STATE SUPPORTED LIVING CENTERS. (a) In this section, "state supported living center" has the meaning assigned by Section 531.002, Health and Safety Code.

(b) The Health and Human Services Commission, in collaboration with the agency and stakeholders who represent the full continuum of educational residential placement options, shall develop and provide to the agency materials regarding educational residential placement options for children who may qualify for placement in a state supported living center. The agency shall make the materials developed under this subsection available to school districts.

(c) At a meeting of a child's admission, review, and dismissal committee at which residential placement is discussed, the school district shall provide to the child's parent the materials developed under Subsection (b).

SECTION 4.11. Sections 29.006(a) and (c), Education Code, are amended to read as follows:

(a) The governor shall appoint a continuing advisory

committee consistent with~~[, composed of 17 members, under]~~ 20 U.S.C. Section 1412(a)(21). At least one member appointed under this subsection must be a director of special education programs for a school district.

(c) Members of the committee are appointed for staggered terms of four years with the terms of half of the ~~[eight or nine]~~ members or, for an odd number of members, half of the members rounded down or half of the members rounded up expiring on February 1 of each odd-numbered year.

SECTION 4.12. Section 29.008, Education Code, is amended to read as follows:

Sec. 29.008. CONTRACTS FOR SERVICES; RESIDENTIAL AND DAY PLACEMENT PROGRAMS. (a) The commissioner shall set minimum standards for and develop and update as necessary a list of approved public or private facilities, institutions, agencies, or businesses inside or outside of this state that a [A] school district, shared services arrangement unit, or regional education service center may contract with ~~[a public or private facility, institution, or agency inside or outside of this state]~~ for the provision of services to students with disabilities in a residential or day placement program.

(a-1) ~~[Each contract for residential placement must be approved by the commissioner.]~~ The commissioner may approve a

facility, institution, agency, or business under Subsection (a)
[residential placement contract] only after at least a
programmatic evaluation of personnel qualifications, costs,
adequacy of physical plant and equipment, and curriculum content.
[The commissioner may approve either the whole or a part of a
facility or program.]

(a-2) Each contract described by this section must be
approved by the commissioner. A school district, shared services
arrangement unit, or regional education service center seeking to
place a student in a residential or day placement program that is
not on the list developed under Subsection (a) must submit to the
commissioner an application for approval in accordance with
Subsections (a) and (a-1).

(b) Except as provided by Subsection (c), costs of an
approved contract for residential placement may be paid from a
combination of federal, state, and local funds. The local share
of the total contract cost for each student is that portion of the
local tax effort that exceeds the district's local fund assignment
under Section 48.256, divided by the average daily attendance in
the district. If the contract involves a private facility, the
state share of the total contract cost is that amount remaining
after subtracting the local share. If the contract involves a
public facility, the state share is that amount remaining after

subtracting the local share from the portion of the contract that involves the costs of instructional and related services. For purposes of this subsection, "local tax effort" means the total amount of money generated by taxes imposed for debt service and maintenance and operation less any amounts paid into a tax increment fund under Chapter 311, Tax Code. This subsection expires September 1, 2027.

(c) When a student, including one for whom the state is managing conservator, is placed primarily for care or treatment reasons in a private [~~residential~~] facility that operates its own private education program, none of the costs may be paid from public education funds. If a [~~residential~~] placement primarily for care or treatment reasons involves a private [~~residential~~] facility in which the education program is provided by the school district, the portion of the costs that includes appropriate education services, as determined by the school district's admission, review, and dismissal committee, shall be paid from local, state, and federal education funds.

(d) A district that contracts for the provision of education services rather than providing the services itself shall oversee the implementation of the student's individualized education program and shall annually reevaluate the appropriateness of the arrangement. The reevaluation must include standards and

expectations that must be met to reintegrate the student to the general education setting. An approved facility, institution, ~~[or]~~ agency, or business with whom the district contracts shall periodically report to the district and the agency on the services the student has received or will receive in accordance with the contract as well as diagnostic or other evaluative information that the district or agency requires in order to fulfill its obligations under this subchapter.

(e) The commissioner shall adopt rules for residential and day placement of students receiving special education services.

SECTION 4.13. The heading to Section 29.009, Education Code, is amended to read as follows:

Sec. 29.009. PUBLIC NOTICE CONCERNING EARLY CHILDHOOD SPECIAL EDUCATION [PRESCHOOL] PROGRAMS ~~[FOR STUDENTS WITH DISABILITIES]~~.

SECTION 4.14. Section 29.010, Education Code, is amended to read as follows:

Sec. 29.010. GENERAL SUPERVISION AND COMPLIANCE. (a) The agency shall develop ~~[adopt]~~ and implement a comprehensive system for monitoring school district compliance with federal and state laws relating to special education. The monitoring system must include a comprehensive cyclical process and a targeted risk-based process ~~[provide for ongoing analysis of district special~~

~~education data and of complaints filed with the agency concerning special education services and for inspections of school districts at district facilities].~~ The agency shall establish criteria and instruments for use in determining district compliance under this section ~~[use the information obtained through analysis of district data and from the complaints management system to determine the appropriate schedule for and extent of the inspection].~~

(a-1) As part of the monitoring system, the agency may require a school district to obtain specialized technical assistance for a documented noncompliance issue or if data indicates that technical assistance is needed, such as an incident involving injury to staff or students by a student receiving special education services or data indicating an excessive number of restraints are used on students receiving special education services.

(b) As part of the monitoring process ~~[To complete the inspection]~~, the agency must obtain information from parents and teachers of students in special education programs in the district.

(c) The agency shall develop and implement a system of interventions and sanctions for school districts the agency identifies as being in noncompliance with ~~[whose most recent monitoring visit shows a failure to comply with major requirements of]~~ the Individuals with Disabilities Education Act (20 U.S.C.

Section 1400 et seq.), federal regulations, state statutes, or agency requirements necessary to carry out federal law or regulations or state law relating to special education.

(d) The agency shall establish a system of progressive sanctions and enforcement provisions to apply to ~~[For]~~ districts that remain in noncompliance for more than one year~~[, the first stage of sanctions shall begin with annual or more frequent monitoring visits]~~. The ~~[Subsequent]~~ sanctions must ~~[may]~~ range in severity and may include ~~[up to]~~ the withholding of funds. If funds are withheld, the agency may use the funds, or direct the funds to be used, to provide, through alternative arrangements, services to students and staff members in the district from which the funds are withheld.

(e) The agency's complaint management division shall develop a system for expedited investigation and resolution of complaints concerning a district's failure to provide special education or related services to a student eligible to participate in the district's special education program.

~~[(f) This section does not create an obligation for or impose a requirement on a school district or open enrollment charter school that is not also created or imposed under another state law or a federal law.]~~

SECTION 4.15. Section 29.012(d), Education Code, is amended

to read as follows:

(d) The Texas Education Agency, the Health and Human Services Commission, the Department of Family and Protective Services, and the Texas Juvenile Justice Department by a cooperative effort shall develop and ~~[by rule]~~ adopt a memorandum of understanding. The memorandum must:

(1) establish the respective responsibilities of school districts and of residential facilities for the provision of a free, appropriate public education, as required by the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.) and its subsequent amendments, including each requirement for children with disabilities who reside in those facilities;

(2) coordinate regulatory and planning functions of the parties to the memorandum;

(3) establish criteria for determining when a public school will provide educational services;

(4) provide for appropriate educational space when education services will be provided at the residential facility;

(5) establish measures designed to ensure the safety of students and teachers; and

(6) provide for binding arbitration consistent with Chapter 2009, Government Code, and Section 154.027, Civil Practice and Remedies Code.

SECTION 4.16. Section 29.013, Education Code, is amended to read as follows:

Sec. 29.013. NONEDUCATIONAL COMMUNITY-BASED SUPPORT SERVICES GRANTS FOR CERTAIN STUDENTS WITH DISABILITIES. (a) The commissioner [~~agency~~] shall adopt rules establishing [~~establish~~] procedures and criteria for the allocation of grants [~~funds appropriated~~] under this section to students who are eligible under Subsection (b) and the students' families [~~school districts~~] for the provision of noneducational community-based support services [~~to certain students with disabilities and their families so that those students may receive an appropriate free public education in the least restrictive environment~~].

(b) A grant [~~The funds~~] may be awarded under this section [~~used~~] only to a student with a disability [~~for eligible students with disabilities~~] who is [~~would remain or would have to be~~] placed by the student's admission, review, and dismissal committee in:

(1) a residential program approved under Section 29.008; or

(2) a day placement program and is at risk of being placed in a residential program approved under Section 29.008 [~~facilities primarily for educational reasons without the provision of noneducational community-based support services~~].

(c) The support services may not be related to the provision

of a free appropriate public education to the student and may include in-home family support, behavioral and other disability-related supports for the student's family, respite care, and case management for the student's family [~~families with a student who otherwise would have been placed by a district in a private residential facility~~].

(d) A school district shall:

(1) notify the parent of a student described by Subsection (b) of the availability of grants under this section; and

(2) designate a campus or district staff member to assist families of students described by Subsection (b) in accessing grants under this section.

(e) On request by the parent of a student described by Subsection (b), the commissioner shall create an account for the student to access a grant under this section through which the parent may request payment for approved support services.

(f) In adopting rules under this section, the commissioner shall adopt rules and guidelines detailing the process to access grant money and the amount of each grant, including a process for a parent to apply for an increase in the grant amount.

(g) The provision of services under this section does not supersede or limit the responsibility of a school district or other

agencies to provide or pay for costs [~~of noneducational community-based support services~~] to enable any student with disabilities to receive a free appropriate public education in the least restrictive environment. [~~Specifically, services provided under this section may not be used for a student with disabilities who is currently placed or who needs to be placed in a residential facility primarily for noneducational reasons.~~]

(h) The commissioner may designate a regional education service center to administer grants under this section.

SECTION 4.17. Sections 29.014(c) and (d), Education Code, are amended to read as follows:

(c) Notwithstanding any other provision of this code, a student whose appropriate education program is a general [~~regular~~] education program may receive services and be counted for attendance purposes for the number of hours per week appropriate for the student's condition if the student:

(1) is temporarily classified as eligible for participation in a special education program because of the student's confinement in a hospital; and

(2) the student's education is provided by a district to which this section applies.

(d) The basic allotment for a student enrolled in a district to which this section applies is adjusted by the tier of intensity

of service defined in accordance with [~~weight for a homebound student under~~] Section 48.102 and designated by commissioner rule for use under this section [~~48.102(a)~~].

SECTION 4.18. Section 29.0162(b), Education Code, is amended to read as follows:

(b) The commissioner by rule shall adopt additional qualifications and requirements for a representative for purposes of Subsection (a)(2). The rules must:

(1) prohibit an individual from being a representative under Subsection (a)(2) opposing a school district if:

(A) the individual has prior employment experience with the district; and

(B) the district raises an objection to the individual serving as a representative;

(2) include requirements that the representative have knowledge of:

(A) all special education dispute resolution options available to parents, including due process and due process rules, hearings, and procedure; and

(B) federal and state special education laws;

(3) require, if the representative receives monetary compensation from a person for representation in an impartial due process hearing, that the representative agree to abide by a

voluntary code of ethics and professional conduct during the period of representation; and

(4) require, if the representative receives monetary compensation from a person for representation in an impartial due process hearing, that the representative enter into a written agreement for representation with the person who is the subject of the special education due process hearing that includes a process for resolving any disputes between the representative and the person.

SECTION 4.19. Section 29.018(b), Education Code, is amended to read as follows:

(b) A school district is eligible to apply for a grant under this section if:

(1) the district does not receive sufficient funds, including state funds provided under Sections [~~Section~~] 48.102 and 48.1021 and federal funds, for a student with disabilities to pay for the special education services provided to the student; or

(2) the district does not receive sufficient funds, including state funds provided under Sections [~~Section~~] 48.102 and 48.1021 and federal funds, for all students with disabilities in the district to pay for the special education services provided to the students.

SECTION 4.20. The heading to Section 29.020, Education Code,

is amended to read as follows:

Sec. 29.020. STATE-ADMINISTERED INDIVIDUALIZED EDUCATION PROGRAM FACILITATION [~~PROJECT~~].

SECTION 4.21. Sections 29.020(a) and (c), Education Code, are amended to read as follows:

(a) The agency shall develop rules in accordance with this section applicable to state-administered [~~the administration of a state~~] individualized education program facilitation [~~project~~]. The program shall include the provision of an independent individualized education program facilitator as a dispute resolution method that may be used to avoid a potential dispute between a school district and a parent of a student with a disability or to facilitate an admission, review, and dismissal committee meeting with parties who are in a dispute about decisions relating to the provision of a free appropriate public education to a student with a disability. Facilitation [~~implemented under the project~~] must comply with rules developed under this subsection.

(c) If the commissioner determines that adequate funding is available, the commissioner may authorize the use of federal funds to implement [~~the~~] individualized education program facilitation [~~project~~] in accordance with this section.

SECTION 4.22. Sections 29.022(a), (a-1), (b), (c), (c-1),

(d), (f), (h), (k), (l), (q), (s), and (t), Education Code, are amended to read as follows:

(a) In order to promote student safety, on receipt of a written request authorized under Subsection (a-1), a school district or open-enrollment charter school shall provide equipment, including a video camera, to the school or schools in the district or the charter school campus or campuses specified in the request. A school or campus that receives equipment as provided by this subsection shall place, operate, and maintain one or more video cameras in special education ~~[self-contained]~~ classrooms and other special education settings ~~[in which a majority of the students in regular attendance are provided special education and related services and are assigned to one or more self-contained classrooms or other special education settings for at least 50 percent of the instructional day]~~, provided that:

(1) a school or campus that receives equipment as a result of the request by a parent or staff member is required to place equipment only in classrooms or settings in which the parent's child is in regular attendance or to which the staff member is assigned, as applicable; and

(2) a school or campus that receives equipment as a result of the request by a board of trustees, governing body, principal, or assistant principal is required to place equipment

only in classrooms or settings identified by the requestor, if the requestor limits the request to specific classrooms or settings subject to this subsection.

(a-1) For purposes of Subsection (a):

(1) a parent of a child who receives special education services in one or more special education [~~self-contained~~] classrooms or other special education settings may request in writing that equipment be provided to the school or campus at which the child receives those services;

(2) a board of trustees or governing body may request in writing that equipment be provided to one or more specified schools or campuses at which one or more children receive special education services in special education [~~self-contained~~] classrooms or other special education settings;

(3) the principal or assistant principal of a school or campus at which one or more children receive special education services in special education [~~self-contained~~] classrooms or other special education settings may request in writing that equipment be provided to the principal's or assistant principal's school or campus; and

(4) a staff member assigned to work with one or more children receiving special education services in special education [~~self-contained~~] classrooms or other special education settings

may request in writing that equipment be provided to the school or campus at which the staff member works.

(b) A school or campus that places a video camera in a special education classroom or other special education setting in accordance with Subsection (a) shall operate and maintain the video camera in the classroom or setting, as long as the classroom or setting continues to satisfy the requirements under Subsection (a), for the remainder of the school year in which the school or campus received the request, unless the requestor withdraws the request in writing. If for any reason a school or campus will discontinue operation of a video camera during a school year, not later than the fifth school day before the date the operation of the video camera will be discontinued, the school or campus must notify the parents of each student in regular attendance in the classroom or setting that operation of the video camera will not continue unless requested by a person eligible to make a request under Subsection (a-1). Not later than the 10th school day before the end of each school year, the school or campus must notify the parents of each student in regular attendance in the classroom or setting that operation of the video camera will not continue during the following school year unless a person eligible to make a request for the next school year under Subsection (a-1) submits a new request.

(c) Except as provided by Subsection (c-1), video cameras placed under this section must be capable of:

(1) covering all areas of the special education classroom or other special education setting, including a room attached to the classroom or setting used for time-out; and

(2) recording audio from all areas of the special education classroom or other special education setting, including a room attached to the classroom or setting used for time-out.

(c-1) The inside of a bathroom or any area in the special education classroom or other special education setting in which a student's clothes are changed may not be visually monitored, except for incidental coverage of a minor portion of a bathroom or changing area because of the layout of the classroom or setting.

(d) Before a school or campus activates a video camera in a special education classroom or other special education setting under this section, the school or campus shall provide written notice of the placement to all school or campus staff and to the parents of each student attending class or engaging in school activities in the classroom or setting.

(f) A school district or open-enrollment charter school may solicit and accept gifts, grants, and donations from any person for use in placing video cameras in special education classrooms or other special education settings under this section.

(h) A school district or open-enrollment charter school may not:

(1) allow regular or continual monitoring of video recorded under this section; or

(2) use video recorded under this section for teacher evaluation or for any other purpose other than the promotion of safety of students receiving special education services in a special education [~~self-contained~~] classroom or other special education setting.

(k) The commissioner may adopt rules to implement and administer this section, including rules regarding the special education classrooms and other special education settings to which this section applies.

(l) A school district or open-enrollment charter school policy relating to the placement, operation, or maintenance of video cameras under this section must:

(1) include information on how a person may appeal an action by the district or school that the person believes to be in violation of this section or a policy adopted in accordance with this section, including the appeals process under Section 7.057;

(2) require that the district or school provide a response to a request made under this section not later than the seventh school business day after receipt of the request by the

person to whom it must be submitted under Subsection (a-3) that authorizes the request or states the reason for denying the request;

(3) except as provided by Subdivision (5), require that a school or a campus begin operation of a video camera in compliance with this section not later than the 45th school business day, or the first school day after the 45th school business day if that day is not a school day, after the request is authorized unless the agency grants an extension of time;

(4) permit the parent of a student whose admission, review, and dismissal committee has determined that the student's placement for the following school year will be in a special education classroom or other special education setting in which a video camera may be placed under this section to make a request for the video camera by the later of:

(A) the date on which the current school year ends; or

(B) the 10th school business day after the date of the placement determination by the admission, review, and dismissal committee; and

(5) if a request is made by a parent in compliance with Subdivision (4), unless the agency grants an extension of time, require that a school or campus begin operation of a video camera

in compliance with this section not later than the later of:

(A) the 10th school day of the fall semester; or

(B) the 45th school business day, or the first school day after the 45th school business day if that day is not a school day, after the date the request is made.

(q) The agency shall collect through the Public Education Information Management System (PEIMS) data relating to requests made under this section and actions taken by a school district or open-enrollment charter school in response to a request, including the number of requests made, authorized, and denied.

(s) This section applies to the placement, operation, and maintenance of a video camera in a special education [~~self-contained~~] classroom or other special education setting during the regular school year and extended school year services.

(t) A video camera placed under this section is not required to be in operation for the time during which students are not present in the special education classroom or other special education setting.

SECTION 4.23. Sections 29.022(u)(3) and (4), Education Code, are amended to read as follows:

(3) "Special education classroom or other special education setting" means a classroom or setting primarily used for delivering special education services to students who spend on

average less than 50 percent of an instructional day in a general education classroom or setting [~~"Self-contained classroom" does not include a classroom that is a resource room instructional arrangement under Section 48.102~~].

(4) "Staff member" means a teacher, related service provider, paraprofessional, counselor, or educational aide assigned to work in a special education [~~self-contained~~] classroom or other special education setting.

SECTION 4.24. Subchapter A, Chapter 29, Education Code, is amended by adding Section 29.026 to read as follows:

Sec. 29.026. RULES. The commissioner may adopt rules as necessary to implement this subchapter.

SECTION 4.25. The heading to Subchapter A-1, Chapter 29, Education Code, is amended to read as follows:

SUBCHAPTER A-1. PARENT-DIRECTED [~~SUPPLEMENTAL SPECIAL EDUCATION~~] SERVICES FOR STUDENTS RECEIVING SPECIAL EDUCATION
SERVICES [~~PROGRAM~~]

SECTION 4.26. Sections 29.041(2) and (3), Education Code, are amended to read as follows:

(2) "Supplemental [~~special education~~] instructional materials" includes textbooks, computer hardware or software, other technological devices, and other materials suitable for addressing an educational need of a student receiving special

education services under Subchapter A.

(3) "Supplemental [~~special education~~] services" means an additive service that provides an educational benefit to a student receiving special education services under Subchapter A, including:

(A) occupational therapy, physical therapy, and speech therapy; and

(B) private tutoring and other supplemental private instruction or programs.

SECTION 4.27. Section 29.042, Education Code, is amended by amending Subsections (a) and (c) and adding Subsection (e) to read as follows:

(a) The agency by rule shall establish and administer a parent-directed [~~supplemental special education services and instructional materials~~] program for students receiving special education services through which a parent may direct supplemental services and supplemental instructional materials for the parent's student [~~students~~] who meets [~~meet~~] the eligibility requirements for participation in the program. Subject to Subsection (c), the agency shall provide each student approved as provided by this subchapter a grant of not more than \$1,500 to purchase supplemental [~~special education~~] services and supplemental [~~special education~~] instructional materials. If the agency receives more acceptable

applications for a grant for a school year than available funding for that school year, the agency shall place remaining students on a waitlist for the subsequent school year.

(c) A student may receive one grant under this subchapter unless the legislature appropriates money for an additional grant in the General Appropriations Act ~~[The commissioner shall set aside an amount set by appropriation for each state fiscal year to fund the program under this section. For each state fiscal year, the total amount provided for student grants under Subsection (a) may not exceed the amount set aside by the commissioner under this subsection].~~

(e) The agency shall maintain an online user-friendly application system for parents to apply for a grant described by Subsection (a).

(f) A regional education service center designated to administer the program under this subchapter, for a school year is entitled to an amount up to four percent of funds appropriated for grants.

SECTION 4.28. ~~Section 29.045,~~ Education Code, is amended to read as follows:

Sec. 29.045. APPROVAL OF APPLICATION; ASSIGNMENT OF ACCOUNT. Subject to available funding the agency shall approve each student who meets the program eligibility criteria established under

Section 29.044 and assign to the student an account maintained under Section 29.042(b). The account may only be used by the student's parent to purchase supplemental [~~special education~~] services or supplemental [~~special education~~] instructional materials for the student, subject to Sections 29.046 and 29.047.

SECTION 4.29. Sections 29.046(a) and (b), Education Code, are amended to read as follows:

(a) Money in an account assigned to a student under Section 29.045 may be used only for supplemental [~~special education~~] services and supplemental [~~special education~~] instructional materials.

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

SECTION 4.30. Sections 29.047(a), (c), (d), and (e), Education Code, are amended to read as follows:

(a) The agency shall establish criteria necessary for agency approval for each category of provider of a professional service that is a supplemental [~~special education~~] service, as identified by the agency.

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

(d) The agency may establish criteria for agency approval of

vendors for each category of supplemental [~~special education~~] instructional materials identified by the agency.

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

SECTION 4.31. Subchapter A-1, Chapter 29, Education Code, is amended by adding Section 29.0475 to read as follows:

Sec. 29.0475. PROGRAM PARTICIPANT, PROVIDER, AND VENDOR AUTONOMY. (a) A provider of supplemental services or vendor of supplemental instructional materials that receives money distributed under the program is not a recipient of federal financial assistance on the basis of receiving that money.

(b) A rule adopted or action taken related to the program by an individual, governmental entity, court of law, or program administrator may not:

(1) consider the actions of a provider of supplemental services, vendor of supplemental instructional materials, or program participant to be the actions of an agent of state government;

(2) limit:

(A) a provider of supplemental services' ability

to determine the methods used to educate the provider's students
or to exercise the provider's religious or institutional values;
or

(B) a program participant's ability to determine
the participant's educational content or to exercise the
participant's religious values;

(3) obligate a provider of supplemental services or
program participant to act contrary to the provider's or
participant's religious or institutional values, as applicable;

(4) impose any regulation on a provider of supplemental
services, vendor of supplemental instructional materials, or
program participant beyond those regulations necessary to enforce
the requirements of the program; or

(5) require as a condition of receiving money
distributed under the program:

(A) a provider of supplemental services to modify
the provider's creed, practices, admissions policies, curriculum,
performance standards, employment policies, or assessments; or

(B) a program participant to modify the
participant's creed, practices, curriculum, performance standards,
or assessments.

(c) In a proceeding challenging a rule adopted by a state
agency or officer under this subchapter, the agency or officer has

the burden of proof to establish by clear and convincing evidence that the rule:

(1) is necessary to implement or enforce the program as provided by this subchapter;

(2) does not violate this section;

(3) does not impose an undue burden on a program participant or a provider of supplemental services or vendor of supplemental instructional materials that participates or applies to participate in the program; and

(4) is the least restrictive means of accomplishing the purpose of the program while recognizing the independence of a provider of supplemental services to meet the educational needs of students in accordance with the provider's religious or institutional values.

SECTION 4.32. Section 29.048, Education Code, is amended to read as follows:

Sec. 29.048. ADMISSION, REVIEW, AND DISMISSAL COMMITTEE DUTIES. (a) A student's admission, review, and dismissal committee shall develop a student's individualized education program under Section 29.005, in compliance with the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.), without consideration of any supplemental ~~[special education]~~ services or supplemental instructional materials that may be

provided under the program under this subchapter.

(b) Unless the district first verifies that an account has been assigned to the student under Section 29.045, the [The] admission, review, and dismissal committee of a student approved for participation in the program shall provide to the student's parent at an admission, review, and dismissal committee meeting for the student:

(1) information regarding the types of supplemental [special education] services or supplemental instructional materials available under the program and provided by agency-approved providers for which an account maintained under Section 29.042(b) for the student may be used; and

(2) instructions regarding accessing an account described by Subdivision (1).

SECTION 4.33. Subchapter A-1, Chapter 29, Education Code, is amended by adding Section 29.0485 to read as follows:

Sec. 29.0485. DETERMINATION OF COMMISSIONER FINAL.
Notwithstanding Section 7.057, a determination of the commissioner under this subchapter is final and may not be appealed.

SECTION 4.34. Section 29.049, Education Code, is amended to read as follows:

Sec. 29.049. RULES. The commissioner shall adopt rules as necessary to administer the supplemental [special education]

services and supplemental instructional materials program under this subchapter.

SECTION 4.35. Section 29.301(1), Education Code, is amended to read as follows:

(1) "Admission, review, and dismissal committee" means the committee required by ~~[State Board of Education rules to develop the individualized education program required by]~~ the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.) for any student needing special education.

SECTION 4.36. Sections 29.304(a) and (c), Education Code, are amended to read as follows:

(a) A student who is deaf or hard of hearing must have an education in which teachers, psychologists, speech language pathologists ~~[therapists]~~, progress assessors, administrators, and others involved in education understand the unique nature of deafness and the hard-of-hearing condition. A teacher of students who are deaf or hard of hearing either must be proficient in appropriate language modes or use an interpreter certified in appropriate language modes if certification is available.

(c) General ~~[Regular]~~ and special education personnel who work with students who are deaf or hard of hearing must be adequately prepared to provide educational instruction and services to those students.

SECTION 4.37. Section 29.310, Education Code, is amended by amending Subsection (c) and adding Subsection (d) to read as follows:

(c) The procedures and materials for the assessment and placement of a student who is deaf or hard of hearing shall be in the student's preferred mode of communication. All other procedures and materials used with any student who is deaf or hard of hearing and who is an emergent bilingual student as defined by Section 29.052 ~~[has limited English proficiency]~~ shall be in the student's preferred mode of communication.

(d) In recognizing the need for development of language and communication abilities in students who are deaf or hard of hearing but also calling for the use of methods of communication that will meet the needs of each individual student, each student who is deaf or hard of hearing must be thoroughly assessed to ascertain the student's potential for communicating through a variety of means.

SECTION 4.38. Section 29.313, Education Code, is amended to read as follows:

Sec. 29.313. EVALUATION OF DEAF AND HARD OF HEARING SERVICES ~~[PROGRAMS]~~. (a) Each school district must provide continuous evaluation of the effectiveness of the district's services ~~[programs of the district]~~ for students who are deaf or hard of

hearing. The [~~If practicable,~~] evaluations shall follow program excellence indicators established by the agency.

(b) Each school district shall submit the evaluations under this section to the agency on a schedule set by the agency.

SECTION 4.39. Section 29.314, Education Code, is amended to read as follows:

Sec. 29.314. TRANSITION INTO GENERAL EDUCATION [REGULAR] CLASS. In addition to satisfying requirements of the admission, review, and dismissal committee and to satisfying requirements under state and federal law for vocational training, each school district shall develop and implement a transition plan for the transition of a student who is deaf or hard of hearing into a general education [~~regular~~] class [~~program~~] if the student is to be transferred from a special class or center or nonpublic, nonsectarian school into a general education [~~regular~~] class in a public school for any part of the school day. The transition plan must provide for activities:

(1) to integrate the student into the general [~~regular~~] education program and specify the nature of each activity and the time spent on the activity each day; and

(2) to support the transition of the student from the special education program into the general [~~regular~~] education program.

SECTION 4.40. Section 29.315, Education Code, is amended to read as follows:

Sec. 29.315. TEXAS SCHOOL FOR THE DEAF MEMORANDUM OF UNDERSTANDING. The Texas Education Agency and the Texas School for the Deaf shall develop~~[, agree to, and by commissioner rule adopt no later than September 1, 1998,]~~ a memorandum of understanding to establish:

(1) the method for developing and reevaluating a set of indicators of the quality of learning at the Texas School for the Deaf;

(2) the process for the agency to conduct and report on an annual evaluation of the school's performance on the indicators;

(3) the requirements for the school's board to publish, discuss, and disseminate an annual report describing the educational performance of the school; and

(4) ~~[the process for the agency to assign an accreditation status to the school, to reevaluate the status on an annual basis, and, if necessary, to conduct monitoring reviews, and~~

~~[+5+]~~ the type of information the school shall be required to provide through the Public Education Information Management System (PEIMS).

SECTION 4.41. Section 29.316, Education Code, is amended to

read as follows:

Sec. 29.316. LANGUAGE ACQUISITION. (a) In this section, "language[+]

~~[(1) "Center" means the Educational Resource Center on Deafness at the Texas School for the Deaf.~~

~~[(2) "Division" means the Division for Early Childhood Intervention Services of the Health and Human Services Commission.~~

~~[(3) "Language] acquisition" includes expressive and~~
receptive language acquisition and literacy development in English, American Sign Language, or both, or, if applicable, in another language primarily used by a child's parent or guardian, and is separate from any modality used to communicate in the applicable language or languages.

(b) Each school district ~~[The commissioner and the executive commissioner of the Health and Human Services Commission jointly]~~ shall ensure that the language acquisition of each child eight years of age or younger who is deaf or hard of hearing is regularly assessed using a tool or assessment approved by the commissioner ~~[determined to be valid and reliable as provided by Subsection (d)]~~.

(c) On a schedule determined by the commissioner, each school district shall report to the commissioner through the Public Education Information Management System (PEIMS) or another method

set by commissioner rule the assessment data collected under Subsection (b) ~~(Not later than August 31 of each year, the agency, the division, and the center jointly shall prepare and post on the agency's, the division's, and the center's respective Internet websites a report on the language acquisition of children eight years of age or younger who are deaf or hard of hearing. The report must:~~

~~[(1) include:~~

~~[(A) existing data reported in compliance with federal law regarding children with disabilities; and~~

~~[(B) information relating to the language acquisition of children who are deaf or hard of hearing and also have other disabilities;~~

~~[(2) state for each child:~~

~~[(A) the instructional arrangement used with the child, as described by Section 48.102, including the time the child spends in a mainstream instructional arrangement;~~

~~[(B) the specific language acquisition services provided to the child, including:~~

~~[(i) the time spent providing those services;~~

~~and~~

~~[(ii) a description of any hearing amplification used in the delivery of those services, including:~~

~~(+a) the type of hearing amplification used;~~

~~(+b) the period of time in which the child has had access to the hearing amplification; and~~

~~(+c) the average amount of time the child uses the hearing amplification each day;~~

~~(+C) the tools or assessments used to assess the child's language acquisition and the results obtained;~~

~~(+D) the preferred unique communication mode used by the child at home; and~~

~~(+E) the child's age, race, and gender, the age at which the child was identified as being deaf or hard of hearing, and any other relevant demographic information the commissioner determines to likely be correlated with or have an impact on the child's language acquisition;~~

~~(+3) compare progress in English literacy made by children who are deaf or hard of hearing to progress in that subject made by children of the same age who are not deaf or hard of hearing, by appropriate age range; and~~

~~(+4) be redacted as necessary to comply with state and federal law regarding the confidentiality of student medical or educational information].~~

(d) The commissioner~~(, the executive commissioner of the~~

~~Health and Human Services Commission, and the center]~~ shall adopt
rules establishing the assessment data required to be reported
under Subsection (c) ~~[enter into a memorandum of understanding~~
~~regarding:~~

~~[(1) the identification of experts in deaf education,~~
and

~~[(2) the determination, in consultation with those~~
~~experts, of the tools and assessments that are valid and reliable,~~
~~in both content and administration, for use in assessing the~~
~~language acquisition of children eight years of age or younger who~~
~~are deaf or hard of hearing].~~

(e) The commissioner shall annually post on the agency's
Internet website a report on the language acquisition of children
eight years of age or younger who are deaf or hard of hearing using
the assessment data reported under Subsection (c) ~~[agency shall~~
~~use existing collected data and data collected and transferred~~
~~from the Department of State Health Services and the Health and~~
~~Human Services Commission, as agreed upon in the memorandum of~~
~~understanding, for the report under this section].~~

(f) The commissioner shall use the assessment data reported
under Subsection (c) in determining whether to award a grant under
Section 29.018 or in seeking federal money available for projects
aimed at improving outcomes for students with disabilities ~~[and~~

~~the executive commissioner of the Health and Human Services Commission jointly shall adopt rules as necessary to implement this section, including rules for:~~

~~[(1) assigning each child eight years of age or younger who is deaf or hard of hearing a unique identification number for purposes of the report required under Subsection (c) and to enable the tracking of the child's language acquisition, and factors affecting the child's language acquisition, over time; and~~

~~[(2) implementing this section in a manner that complies with federal law regarding confidentiality of student medical or educational information, including the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. Section 1320d et seq.) and the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g), and any state law relating to the privacy of student information].~~

SECTION 4.42. The heading to Section 30.002, Education Code, is amended to read as follows:

Sec. 30.002. STATE PLAN [EDUCATION] FOR CHILDREN WITH VISUAL IMPAIRMENTS, WHO ARE DEAF OR HARD OF HEARING, OR WHO ARE DEAF-BLIND.

SECTION 4.43. Sections 30.002(a), (b), (c), and (e), Education Code, are amended to read as follows:

(a) The agency shall develop and administer a comprehensive

statewide plan for the education of children ~~[with visual impairments]~~ who are under 22 ~~[21]~~ years of age and who have visual impairments, are deaf or hard of hearing, or are deaf-blind that will ensure that the children have an opportunity for achievement equal to the opportunities afforded their peers who do not have visual impairments, are not deaf or hard of hearing, or are not deaf-blind ~~[with normal vision]~~.

(b) The agency shall:

(1) develop standards and guidelines for all special education and related services for children who have visual impairments, are deaf or hard of hearing, or are deaf-blind ~~[with visual impairments]~~ that it is authorized to provide or support under this code and federal law;

(2) supervise regional education service centers and other entities in assisting school districts in serving children who have visual impairments, are deaf or hard of hearing, or are deaf-blind ~~[with visual impairments]~~ more effectively; and

(3) ~~[develop and administer special education services for students with both serious visual and auditory impairments;~~

~~[(4) evaluate special education services provided for children with visual impairments by school districts and approve or disapprove state funding of those services; and~~

~~[(5)]~~ maintain an effective liaison between special

education programs provided for children who have visual impairments, are deaf or hard of hearing, or are deaf-blind [~~with visual impairments~~] by school districts and related initiatives of the Health and Human Services Commission, [~~the Department of State Health Services Mental Health and Substance Abuse Division,~~] the Texas Workforce Commission, and other related programs, agencies, or facilities as appropriate.

(c) The comprehensive statewide plan for the education of children who have visual impairments, are deaf or hard of hearing, or are deaf-blind [~~with visual impairments~~] must:

(1) adequately provide for comprehensive diagnosis and evaluation of each school-age child who has a visual impairment, is deaf or hard of hearing, or is deaf-blind and adequately outline the expectations of a school district for such a child under three years of age [~~with a serious visual impairment~~];

(2) include the procedures, format, and content of the individualized education program for each child who has a visual impairment, is deaf or hard of hearing, or is deaf-blind [~~with a visual impairment~~];

(3) emphasize providing educational services to children who have visual impairments, are deaf or hard of hearing, or are deaf-blind [~~with visual impairments~~] in their home communities whenever possible;

(4) include information regarding the establishment of regional day school programs for the deaf under Subchapter D and the parameters of those programs ~~[methods to ensure that children with visual impairments receiving special education services in school districts receive, before being placed in a classroom setting or within a reasonable time after placement:~~

~~[(A) evaluation of the impairment, and~~

~~[(B) instruction in an expanded core curriculum, which is required for students with visual impairments to succeed in classroom settings and to derive lasting, practical benefits from the education provided by school districts, including instruction in:~~

~~[(i) compensatory skills, such as braille and concept development, and other skills needed to access the rest of the curriculum,~~

~~[(ii) orientation and mobility,~~

~~[(iii) social interaction skills,~~

~~[(iv) career planning,~~

~~[(v) assistive technology, including optical devices,~~

~~[(vi) independent living skills,~~

~~[(vii) recreation and leisure enjoyment,~~

~~[(viii) self-determination, and~~

~~[(ix) sensory efficiency];~~

(5) provide for flexibility on the part of school districts to meet the unique ~~[special]~~ needs of children who have visual impairments, are deaf or hard of hearing, or are deaf-blind ~~[with visual impairments]~~ through:

(A) specialty staff and resources provided by the district;

(B) contractual arrangements with other qualified public or private agencies;

(C) supportive assistance from regional education service centers or adjacent school districts;

(D) short-term or long-term services through the Texas School for the Blind and Visually Impaired, the Texas School for the Deaf, regional day school programs for the deaf, or related facilities or programs; or

(E) other instructional and service arrangements approved by the agency;

(6) ~~[include a statewide admission, review, and dismissal process;~~

~~[(7)]~~ provide for effective interaction between the ~~[visually impaired child's]~~ classroom setting of the child who has a visual impairment, is deaf or hard of hearing, or is deaf-blind and the child's home environment, including providing for parental

training and counseling either by school district staff or by representatives of other organizations directly involved in the development and implementation of the individualized education program for the child;

(7) describe recommended and required professional development activities based on the special education and related services provided by school district staff to children who have visual impairments, are deaf or hard of hearing, or are deaf-blind
~~[(8) require the continuing education and professional development of school district staff providing special education services to children with visual impairments];~~

(8) [(9)] provide for adequate monitoring and precise evaluation of special education services provided to children who have visual impairments, are deaf or hard of hearing, or are deaf-blind ~~[with visual impairments]~~ through school districts; ~~[and]~~

(9) [(10)] require that school districts providing special education services to children who have visual impairments, are deaf or hard of hearing, or are deaf-blind ~~[with visual impairments]~~ develop procedures for assuring that staff assigned to work with the children have prompt and effective access directly to resources available through:

(A) cooperating agencies in the area;

(B) the Texas School for the Blind and Visually

Impaired;

(C) the Texas School for the Deaf;

(D) the statewide outreach center at the Texas School for the Deaf;

(E) the Central Media Depository for specialized instructional materials and aids made specifically for use by students with visual impairments;

(F) [~~D~~] sheltered workshops participating in the state program of purchases of blind-made goods and services;
and

(G) [~~E~~] related sources; and

(10) assist in the coordination of educational programs with other public and private agencies, including:

(A) agencies operating early childhood intervention programs;

(B) preschools;

(C) agencies operating child development programs;

(D) private nonsectarian schools;

(E) agencies operating regional occupational centers and programs; and

(F) as appropriate, postsecondary and adult programs for persons who are deaf or hard of hearing.

(e) Each eligible [~~blind or visually impaired~~] student who has a visual impairment, is deaf or hard of hearing, or is deaf-blind is entitled to receive educational programs according to an individualized education program that:

(1) is developed in accordance with federal and state requirements for providing special education services;

(2) is developed by a committee composed as required by federal law;

(3) reflects that the student has been provided a detailed explanation of the various service resources available to the student in the community and throughout the state;

(4) provides a detailed description of the arrangements made to provide the student with the evaluation and instruction required under this subchapter and Subchapter A, Chapter 29 [~~Subsection (c)(4)~~]; and

(5) sets forth the plans and arrangements made for contacts with and continuing services to the student beyond regular school hours to ensure the student learns the skills and receives the instruction required under this subchapter and Subchapter A, Chapter 29 [~~Subsection (c)(4)(B)~~].

SECTION 4.44. Subchapter A, Chapter 30, Education Code, is amended by adding Section 30.0021 to read as follows:

Sec. 30.0021. REQUIREMENTS FOR CHILDREN WITH VISUAL

IMPAIRMENTS. (a) Each child with a visual impairment must receive instruction in an expanded core curriculum required for children with visual impairments to succeed in classroom settings and to derive lasting, practical benefits from education in a school district, including instruction in:

(1) compensatory skills, such as braille and concept development, and other skills necessary to access the rest of the curriculum;

(2) orientation and mobility;

(3) social interaction skills;

(4) career education;

(5) assistive technology, including optical devices;

(6) independent living skills;

(7) recreation and leisure enjoyment;

(8) self-determination; and

(9) sensory efficiency.

(b) To determine a child's eligibility for a school district's special education program under Subchapter A, Chapter 29, on the basis of a visual impairment, the full individual and initial evaluation of the child under Section 29.004 and any reevaluation of the child must, in accordance with commissioner rule:

(1) include an orientation and mobility evaluation

conducted:

(A) by a person who is appropriately certified as an orientation and mobility specialist, as determined by commissioner rule; and

(B) in a variety of lighting conditions and settings, including in the child's home, school, and community and in settings unfamiliar to the child; and

(2) provide for a person who is appropriately certified as an orientation and mobility specialist, as determined by commissioner rule, to participate, as part of a multidisciplinary team, in evaluating the data on which the determination of the child's eligibility is based.

(c) In developing an individualized education program under Section 29.005 for a child with a visual impairment, proficiency in reading and writing must be a significant indicator of the child's satisfactory educational progress. The individualized education program must include instruction in braille and the use of braille unless the child's admission, review, and dismissal committee documents a determination, based on an evaluation of the child's appropriate literacy media and literacy skills and the child's current and future instructional needs, that braille is not an appropriate literacy medium for the child.

(d) Braille instruction:

(1) may be used in combination with other special education services appropriate to the educational needs of a child with a visual impairment; and

(2) must be provided by a teacher certified to teach children with visual impairments under Subchapter B, Chapter 21.

(e) A school district shall provide to each person assisting in the development of an individualized education program for a child with a visual impairment information describing the benefits of braille instruction.

(f) To facilitate implementation of this section, the commissioner shall develop a system to distribute from the foundation school fund to school districts or regional education service centers a special supplemental allowance for each student with a visual impairment. The supplemental allowance may be spent only for special education services uniquely required by the nature of the child's disabilities and may not be used in lieu of educational funds otherwise available under this code or through state or local appropriations.

SECTION 4.45. Section 30.003, Education Code, is amended by amending Subsections (b), (d), (f-1), and (g) and adding Subsection (b-1) to read as follows:

(b) If the student is admitted to the school for a full-time program for the equivalent of two long semesters, the district's

share of the cost is an amount equal to the dollar amount of maintenance and debt service taxes imposed by the district for that year, subject to Subsection (b-1), divided by the district's average daily attendance for the preceding year.

(b-1) The commissioner shall reduce the amount of maintenance taxes imposed by the district that are obligated to be paid under Subsection (b) for a year by the amount, if any, by which the district is required to reduce the district's local revenue level under Section 48.257 for that year.

(d) Each school district and state institution shall provide to the commissioner the necessary information to determine the district's share under this section. The information must be reported to the commissioner on or before a date set by commissioner rule [~~of the State Board of Education~~]. After determining the amount of a district's share for all students for which the district is responsible, the commissioner shall deduct that amount from the payments of foundation school funds payable to the district. Each deduction shall be in the same percentage of the total amount of the district's share as the percentage of the total foundation school fund entitlement being paid to the district at the time of the deduction, except that the amount of any deduction may be modified to make necessary adjustments or to correct errors. The commissioner shall provide for remitting the

amount deducted to the appropriate school at the same time at which the remaining funds are distributed to the district. If a district does not receive foundation school funds or if a district's foundation school entitlement is less than the amount of the district's share under this section, the commissioner shall direct the district to remit payment to the commissioner, and the commissioner shall remit the district's share to the appropriate school.

(f-1) The commissioner shall determine the total amount that the Texas School for the Blind and Visually Impaired and the Texas School for the Deaf would have received from school districts in accordance with this section if the following provisions had not reduced the districts' share of the cost of providing education services:

(1) H.B. No. 1, Acts of the 79th Legislature, 3rd Called Session, 2006;

(2) Subsection (b-1) of this section;

(3) Section 45.0032;

(4) ~~[(3)]~~ Section 48.255; and

(5) ~~[(4)]~~ Section 48.2551.

(g) The commissioner [~~State Board of Education~~] may adopt rules as necessary to implement this section.

SECTION 4.46. Section ~~30.004~~(b), Education Code, is amended

to read as follows:

(b) The commissioner [~~State Board of Education~~] shall adopt rules prescribing the form and content of information required by Subsection (a).

SECTION 4.47. Section 30.005, Education Code, is amended to read as follows:

Sec. 30.005. TEXAS SCHOOL FOR THE BLIND AND VISUALLY IMPAIRED MEMORANDUM OF UNDERSTANDING. The Texas Education Agency and the Texas School for the Blind and Visually Impaired shall develop[, ~~agree to, and by commissioner rule adopt~~] a memorandum of understanding to establish:

(1) the method for developing and reevaluating a set of indicators of the quality of learning at the Texas School for the Blind and Visually Impaired;

(2) the process for the agency to conduct and report on an annual evaluation of the school's performance on the indicators;

(3) the requirements for the school's board to publish, discuss, and disseminate an annual report describing the educational performance of the school; and

(4) [~~the process for the agency to:~~

[~~(A) assign an accreditation status to the school;~~

[~~(B) reevaluate the status on an annual basis; and~~

[~~(C) if necessary, conduct monitoring reviews; and~~

[~~(5)~~] the type of information the school shall be required to provide through the Public Education Information Management System (PEIMS).

SECTION 4.48. Section 30.021(e), Education Code, is amended to read as follows:

(e) The school shall cooperate with public and private agencies and organizations serving students and other persons with visual impairments in the planning, development, and implementation of effective educational and rehabilitative service delivery systems associated with educating students with visual impairments. To maximize and make efficient use of state facilities, funding, and resources, the services provided in this area may include conducting a cooperative program with other agencies to serve students who have graduated from high school by completing all academic requirements applicable to students in general [~~regular~~] education, excluding satisfactory performance under Section 39.025, who are younger than 22 years of age on September 1 of the school year and who have identified needs related to vocational training, independent living skills, orientation and mobility, social and leisure skills, compensatory skills, or remedial academic skills.

SECTION 4.49. Section 30.081, Education Code, is amended to read as follows:

Sec. 30.081. LEGISLATIVE INTENT CONCERNING REGIONAL DAY SCHOOLS FOR THE DEAF. The legislature, by this subchapter, intends to continue a process of providing on a statewide basis a suitable education to deaf or hard of hearing students who are under 22 [21] years of age and assuring that those students have the opportunity to become independent citizens.

SECTION 4.50. Section 30.083, Education Code, is amended to read as follows:

Sec. 30.083. STATEWIDE PLAN. [+a+] The director of services shall develop and administer a comprehensive statewide plan for educational services for students who are deaf or hard of hearing and receive special education and related services through a regional day school program for the deaf [~~, including continuing diagnosis and evaluation, counseling, and teaching~~]. The plan shall be included as part of the comprehensive statewide plan under Section 30.002 [~~designed to accomplish the following objectives:~~

~~[(1) providing assistance and counseling to parents of students who are deaf or hard of hearing in regional day school programs for the deaf and admitting to the programs students who have a hearing loss that interferes with the processing of linguistic information;~~

~~[(2) enabling students who are deaf or hard of hearing to reside with their parents or guardians and be provided an~~

~~appropriate education in their home school districts or in regional day school programs for the deaf;~~

~~[(3) enabling students who are deaf or hard of hearing who are unable to attend schools at their place of residence and whose parents or guardians live too far from facilities of regional day school programs for the deaf for daily commuting to be accommodated in foster homes or other residential school facilities provided for by the agency so that those children may attend a regional day school program for the deaf;~~

~~[(4) enrolling in the Texas School for the Deaf those students who are deaf or hard of hearing whose needs can best be met in that school and designating the Texas School for the Deaf as the statewide educational resource for students who are deaf or hard of hearing;~~

~~[(5) encouraging students in regional day school programs for the deaf to attend general education classes on a part-time, full-time, or trial basis; and~~

~~[(6) recognizing the need for development of language and communications abilities in students who are deaf or hard of hearing, but also calling for the use of methods of communication that will meet the needs of each individual student, with each student assessed thoroughly so as to ascertain the student's potential for communications through a variety of means, including~~

~~through oral or aural means, fingerspelling, or sign language].~~

~~[(b) The director of services may establish separate programs to accommodate diverse communication methodologies.]~~

SECTION 4.51. Section 37.146(a), Education Code, is amended to read as follows:

(a) A complaint alleging the commission of a school offense must, in addition to the requirements imposed by Article 45A.101, Code of Criminal Procedure:

(1) be sworn to by a person who has personal knowledge of the underlying facts giving rise to probable cause to believe that an offense has been committed; and

(2) be accompanied by a statement from a school employee stating:

(A) whether the child is eligible for or receives special education services under Subchapter A, Chapter 29; and

(B) the graduated sanctions, if required under Section 37.144, that were imposed on the child before the complaint was filed.

SECTION 4.52. Section 38.003(c-1), Education Code, is amended to read as follows:

(c-1) The agency by rule shall develop procedures designed to allow the agency to:

(1) effectively audit and monitor and periodically

conduct site visits of all school districts to ensure that districts are complying with this section, including the program approved by the State Board of Education under this section;

(2) identify any problems school districts experience in complying with this section, including the program approved by the State Board of Education under this section;

(3) develop reasonable and appropriate remedial strategies to address school district noncompliance and ensure the purposes of this section are accomplished, which may include the publication of a recommended evidence-based dyslexia program list;
[and]

(4) solicit input from parents of students enrolled in a school district during the auditing and monitoring of the district under Subdivision (1) regarding the district's implementation of the program approved by the State Board of Education under this section; and

(5) engage in general supervision activities, including activities under the comprehensive system for monitoring described by Section 29.010, to ensure school district compliance with the program approved by the State Board of Education under this section and Part B, Individuals with Disabilities Education Act (20 U.S.C. Section 1411 et seq.).

SECTION 4.53. Section 48.009(b), Education Code, is amended

to read as follows:

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

(1) the number of students enrolled in the district or school who are identified as having dyslexia;

(2) the availability of school counselors, including the number of full-time equivalent school counselors, at each campus;

(3) the availability of expanded learning opportunities as described by Section 33.252 at each campus;

(4) the total number of students, other than students described by Subdivision (5), enrolled in the district or school with whom the district or school, as applicable, used intervention strategies, as that term is defined by Section 26.004, at any time during the year for which the report is made;

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

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

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

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

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

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

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

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

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

(8) students enrolled in a special education program under Subchapter A, Chapter 29, as necessary for the agency to

adequately perform general supervision activities and determine funding under Sections 48.102 and 48.1021.

SECTION 4.54. Section 48.102, Education Code, is amended to read as follows:

Sec. 48.102. SPECIAL EDUCATION. (a) For each student in average daily attendance in a special education program under Subchapter A, Chapter 29, ~~[in a mainstream instructional arrangement,]~~ a school district is entitled to an annual allotment equal to the basic allotment, or, if applicable, the sum of the basic allotment and the allotment under Section 48.101 to which the district is entitled, multiplied by a weight in an amount set by the legislature in the General Appropriations Act for the highest tier of intensity of service for which the student qualifies [1.15].

(a-1) Notwithstanding Subsection (a), for the 2026-2027 school year, the amount of an allotment under this section shall be determined in accordance with Section 48.1022. This subsection expires September 1, 2027. ~~[For each full-time equivalent student in average daily attendance in a special education program under Subchapter A, Chapter 29, in an instructional arrangement other than a mainstream instructional arrangement, a district is entitled to an annual allotment equal to the basic allotment, or, if applicable, the sum of the basic allotment and the allotment~~

~~under Section 48.101 to which the district is entitled, multiplied by a weight determined according to instructional arrangement as follows:~~

~~[Homebound 5.0~~

~~[Hospital class 3.0~~

~~[Speech therapy 5.0~~

~~[Resource room 3.0~~

~~[Self-contained, mild and moderate, regular campus 3.0~~

~~[Self-contained, severe, regular campus 3.0~~

~~[Off-home campus 2.7~~

~~[Nonpublic day school 1.7~~

~~[Vocational adjustment class 2.3]~~

(b) The commissioner by rule shall define eight tiers of intensity of service for use in determining funding under this section. The commissioner must include one tier specifically addressing students receiving special education services in residential placement and one tier for students receiving only speech therapy ~~[A special instructional arrangement for students with disabilities residing in care and treatment facilities, other than state schools, whose parents or guardians do not reside in the district providing education services shall be established by commissioner rule. The funding weight for this arrangement shall~~

~~be 4.0 for those students who receive their education service on a local school district campus. A special instructional arrangement for students with disabilities residing in state schools shall be established by commissioner rule with a funding weight of 2.8].~~

(c) In defining the tiers of intensity of service under Subsection (b), the commissioner shall consider:

(1) the type, frequency, and nature of services provided to a student;

(2) the required certifications, licensures, or other qualifications for personnel serving the student;

(3) any identified or curriculum-required provider-to-student ratios for the student to receive the appropriate services;
and

(4) any equipment or technology required for the services ~~[For funding purposes, the number of contact hours credited per day for each student in the off home campus instructional arrangement may not exceed the contact hours credited per day for the multidistrict class instructional arrangement in the 1992-1993 school year].~~

(d) ~~[For funding purposes the contact hours credited per day for each student in the resource room, self-contained, mild and moderate, and self-contained, severe, instructional arrangements~~

~~may not exceed the average of the statewide total contact hours credited per day for those three instructional arrangements in the 1992-1993 school year.~~

~~[(e) The commissioner by rule shall prescribe the qualifications an instructional arrangement must meet in order to be funded as a particular instructional arrangement under this section. In prescribing the qualifications that a mainstream instructional arrangement must meet, the commissioner shall establish requirements that students with disabilities and their teachers receive the direct, indirect, and support services that are necessary to enrich the regular classroom and enable student success.~~

~~[(f) In this section, "full-time equivalent student" means 30 hours of contact a week between a special education student and special education program personnel.~~

~~[(g) The commissioner shall adopt rules and procedures governing contracts for residential placement of special education students. The legislature shall provide by appropriation for the state's share of the costs of those placements.~~

~~[(h)] At least 55 percent of the funds allocated under this section must be used in the special education program under Subchapter A, Chapter 29.~~

(e) ~~[(i)]~~ The agency shall ensure ~~[encourage]~~ the placement

of students in special education programs, including students in residential placement [~~instructional arrangements~~], in the least restrictive environment appropriate for their educational needs.

(f) [~~(j)~~] A school district that provides an extended year program required by federal law for special education students who may regress is entitled to receive funds in an amount equal to [75 percent, ~~or a lesser percentage determined by the commissioner,~~ ~~of~~] the basic allotment, or, if applicable, the sum of the basic allotment and the allotment under Section 48.101 to which the district is entitled for each [~~full-time equivalent~~] student in average daily attendance, multiplied by the amount designated for the highest tier of intensity of service for which the student qualifies [~~student's instructional arrangement~~] under this section, for each day the program is provided divided by the number of days in the minimum school year. [~~The total amount of state funding for extended year services under this section may not exceed \$10 million per year.~~] A school district may use funds received under this section only in providing an extended year program.

(g) [~~(k)~~] From the total amount of funds appropriated for special education under this section, the commissioner shall withhold an amount specified in the General Appropriations Act, and distribute that amount to school districts for programs under

Section 29.014. The program established under that section is required only in school districts in which the program is financed by funds distributed under this subsection and any other funds available for the program. After deducting the amount withheld under this subsection from the total amount appropriated for special education, the commissioner shall reduce each district's allotment proportionately and shall allocate funds to each district accordingly.

(h) Not later than December 1 of each even-numbered year, the commissioner shall submit to the Legislative Budget Board, for purposes of the allotment under this section, proposed weights for the tiers of intensity of service for the next state fiscal biennium.

SECTION 4.55. Subchapter C, Chapter 48, Education Code, is amended by adding Sections 48.1021 and 48.1022 to read as follows:

Sec. 48.1021. SPECIAL EDUCATION SERVICE GROUP ALLOTMENT.

(a) For each student in a special education program under Subchapter A, Chapter 29, a school district is entitled to an allotment in an amount set by the legislature in the General Appropriations Act for the service group for which the student receives services.

(a-1) Notwithstanding Subsection (a), for the 2026-2027 school year, the amount of an allotment under this section shall

be determined in accordance with Section 48.1022. This subsection expires September 1, 2027.

(b) The commissioner by rule shall establish at least four service groups for use in determining funding under this section. In establishing the groups, the commissioner must consider:

(1) the type, frequency, and nature of services provided to a student;

(2) the required certifications, licensures, or other qualifications for personnel serving the student;

(3) any identified or curriculum-required provider-to-student ratios for the student to receive the appropriate services; and

(4) any equipment or technology required for the services.

(c) At least 55 percent of the funds allocated under this section must be used for a special education program under Subchapter A, Chapter 29.

(d) Not later than December 1 of each even-numbered year, the commissioner shall submit to the Legislative Budget Board, for purposes of the allotment under this section, proposed amounts of funding for the service groups for the next state fiscal biennium.

Sec. 48.1022. SPECIAL EDUCATION TRANSITION FUNDING.

(a) For the 2026-2027 school year, the commissioner may adjust

weights or amounts provided under Section 48.102 or 48.1021 as necessary to ensure compliance with requirements regarding maintenance of state financial support under 20 U.S.C. Section 1412(a)(18) and maintenance of local financial support under applicable federal law.

(b) For the 2026-2027 school year, the commissioner shall determine the formulas through which school districts receive funding under Sections 48.102 and 48.1021. In determining the formulas, the commissioner shall ensure the estimated statewide amount provided by the sum of the allotments under Sections 48.102 and 48.1021 for the 2026-2027 school year is approximately \$250 million greater than the amount that would have been provided under the allotment under Section 48.102, as that section existed on September 1, 2025, for that school year, calculating both amounts using the basic allotment in effect for the 2026-2027 school year.

(c) Each school district and open-enrollment charter school shall report to the agency information necessary to implement this section.

(d) The agency shall provide technical assistance to school districts and open-enrollment charter schools to ensure a successful transition in funding formulas for special education.

(e) This section expires September 1, 2028.

SECTION 4.56. Sections 48.103(b), (c), and (d), Education

Code, are amended to read as follows:

(b) A school district is entitled to an allotment under Subsection (a) only for a student who:

(1) is receiving:

(A) instruction, services, or accommodations for dyslexia or a related disorder in accordance with

~~[(A)]~~ an individualized education program developed for the student under Section 29.005; or

(B) accommodations for dyslexia or a related disorder in accordance with a plan developed for the student under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794);
or

(2) ~~[is receiving instruction that:~~

~~[(A)] meets applicable dyslexia program criteria established by the State Board of Education; and~~

~~[(B)] is provided by a person with specific training in providing that instruction; or~~

~~[(3)]~~ is permitted, on the basis of having dyslexia or a related disorder, to use modifications in the classroom or accommodations in the administration of assessment instruments under Section 39.023 without a program or plan described by Subdivision (1).

(c) A school district may receive funding for a student under

each provision of this section, [and] Section 48.102, and Section 48.1021 for which [if] the student qualifies [satisfies the requirements of both sections].

(d) A school district may use ~~[an amount not to exceed 20 percent of]~~ the allotment provided for a qualifying student under this section to contract with a private provider to provide supplemental academic services to the student that are recommended under the student's program or plan described by Subsection (b). A student may not be excused from school to receive supplemental academic services provided under this subsection.

SECTION 4.57. Section 48.110(d), Education Code, is amended to read as follows:

(d) For each annual graduate in a cohort described by Subsection (b) who demonstrates college, career, or military readiness as described by Subsection (f) in excess of the minimum number of students determined for the applicable district cohort under Subsection (c), a school district is entitled to an annual outcomes bonus of:

(1) if the annual graduate is educationally disadvantaged, \$5,000;

(2) if the annual graduate is not educationally disadvantaged, \$3,000; and

(3) if the annual graduate is enrolled in a special

education program under Subchapter A, Chapter 29, \$4,000 [~~\$2,000~~], regardless of whether the annual graduate is educationally disadvantaged.

SECTION 4.58. Section 48.151(g), Education Code, is amended to read as follows:

(g) A school district or county that provides special transportation services for eligible special education students is entitled to a state allocation at a [~~paid on a previous year's cost per mile basis. The~~] rate per mile equal to the sum of the rate per mile set under Subsection (c) and \$0.13, or a greater amount provided [~~allowable shall be set~~] by appropriation [~~based on data gathered from the first year of each preceding biennium~~]. Districts may use a portion of their support allocation to pay transportation costs, if necessary. The commissioner may grant an amount set by appropriation for private transportation to reimburse parents or their agents for transporting eligible special education students. The mileage allowed shall be computed along the shortest public road from the student's home to school and back, morning and afternoon. The need for this type of transportation shall be determined on an individual basis and shall be approved only in extreme hardship cases.

SECTION 4.59. Subchapter D, Chapter 48, Education Code, is amended by adding Section 48.159 to read as follows:

Sec. 48.159. SPECIAL EDUCATION FULL INDIVIDUAL AND INITIAL EVALUATION. (a) For each child for whom a school district conducts a full individual and initial evaluation under Section 29.004 or 20 U.S.C. Section 1414(a)(1), the district is entitled to an allotment of \$1,000 or a greater amount provided by appropriation.

SECTION 4.60. Section 48.265(a), Education Code, is amended to read as follows:

(a) If ~~[Notwithstanding any other provision of law, if]~~ the commissioner determines that the amount appropriated for the purposes of the Foundation School Program exceeds the amount to which school districts are entitled under this chapter, the commissioner may provide ~~[by rule shall establish a grant program through which excess funds are awarded as]~~ grants using the excess money for the purchase of video equipment, or for the reimbursement of costs for previously purchased video equipment, used for monitoring special education classrooms or other special education settings required under Section 29.022.

SECTION 4.61. Section 48.279(e), Education Code, is amended to read as follows:

(e) After the commissioner has replaced any withheld federal funds as provided by Subsection (d), the commissioner shall

distribute the remaining amount, if any, of funds described by Subsection (a) to proportionately increase funding for the special education allotment under Section 48.102 and the special education service group allotment under Section 48.1021.

SECTION 4.62. Subchapter G, Chapter 48, Education Code, is amended by adding Sections 48.304 and 48.315 to read as follows:

Sec. 48.304. DAY PLACEMENT PROGRAM OR COOPERATIVE FUNDING.

(a) For each qualifying day placement program or cooperative that a regional education service center, school district, or open-enrollment charter school establishes, the program or cooperative is entitled to an allotment of:

(1) \$250,000 for the first year of the program's or cooperative's operation; and

(2) the sum of:

(A) \$100,000 for each year of the program's or cooperative's operation after the first year; and

(B) \$150,000 if at least three students are enrolled in the program or cooperative for a year described by Paragraph (A).

(b) A day placement program or cooperative qualifies for purposes of Subsection (a) if:

(1) the program or cooperative complies with commissioner rules adopted for purposes of this section under

Section 48.004;

(2) the program or cooperative offers services to students who are enrolled at any school district or open-enrollment charter school in the county in which the program or cooperative is offered, unless the commissioner by rule waives or modifies the requirement under this subdivision for the program or cooperative to serve all students in a county; and

(3) the agency has designated the program or cooperative for service in the county in which the program or cooperative is offered and determined that, at the time of designation, the program or cooperative increases the availability of day placement services in the county.

(c) The agency may not designate more than one day placement program or cooperative for service per county each year.

(d) The agency may designate a regional education service center to implement and administer this section.

(e) Notwithstanding any other provision of this section, the agency may not provide an allotment under this section to more than 20 day placement programs or cooperatives for a year.

Sec. 48.315. FUNDING FOR REGIONAL DAY SCHOOL PROGRAMS FOR THE DEAF. (a) The program administrator or fiscal agent of a regional day school program for the deaf is entitled to receive for each school year an allotment of \$6,925, or a greater amount

provided by appropriation, for each student receiving services from the program.

(b) Notwithstanding Subsection (a), the agency shall adjust the amount of an allotment under that subsection for a school year to ensure the total amount of allotments provided under that subsection is at least \$35 million for that school year.

SECTION 4.63. The following provisions of the Education Code are repealed:

- (1) Section 7.055(b)(24);
- (2) Sections 7.102(c)(18), (19), (20), (21), and (22);
- (3) Section 29.002;
- (4) Section 29.0041(c);
- (5) Section 29.005(f);
- (6) Section 29.0161;
- (7) Sections 29.308, 29.309, 29.311, 30.001, and 30.0015;
- (8) Sections 30.002(c-1), (c-2), (f), (f-1), and (g);
- (9) Section 30.084;
- (10) Section 30.087(b); and
- (11) Section 38.003(d).

SECTION 4.64. The commissioner of education shall award a grant under Subchapter A-1, Chapter 29, Education Code, as amended by this article, for the 2025-2026 school year to each eligible

applicant who applied but was not accepted for the 2024-2025 school year.

SECTION 4.65. To the extent of any conflict between the changes made to the Education Code by this article and the changes made to the Education Code by another Act of the 89th Legislature, Regular Session, 2025, the changes made by this article prevail.

SECTION 4.66. Sections 8.051(d), 29.008, 29.014(c) and (d), and 29.018(b), Education Code, as amended by this article, apply beginning with the 2026-2027 school year.

SECTION 4.67. (a) Except as provided by Subsection (b) or (c) of this section, this article takes effect immediately if this Act receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this article takes effect September 1, 2025.

(b) Except as provided by Subsection (c) of this section, the amendments made by this article to Chapter 48, Education Code, take effect September 1, 2025.

(c) Sections 48.009(b), 48.102, 48.103(b), (c), and (d), and 48.279(e), Education Code, as amended by this article, and Sections 48.1021 and 48.1022, Education Code, as added by this article, take effect September 1, 2026.

ARTICLE 5. MEASURES TO SUPPORT EARLY CHILDHOOD EDUCATION

SECTION 5.01. Section 12.104(b), Education Code, is amended to read as follows:

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

(1) a provision of this title establishing a criminal offense;

(2) the provisions in Chapter 554, Government Code; and

(3) a prohibition, restriction, or requirement, as applicable, imposed by this title or a rule adopted under this title, relating to:

(A) the Public Education Information Management System (PEIMS) to the extent necessary to monitor compliance with this subchapter as determined by the agency ~~[commissioner]~~;

(B) criminal history records under Subchapter C, Chapter 22;

(C) reading and mathematics instruments and reading interventions ~~[accelerated reading instruction programs]~~ under Sections ~~[Section]~~ 28.006, 28.0063, and 28.0064;

(D) accelerated instruction under Section 28.0211;

(E) high school graduation requirements under Section 28.025;

(F) special education programs under Subchapter A, Chapter 29;

(G) bilingual education under Subchapter B, Chapter 29;

(H) prekindergarten programs under Subchapter E or E-1, Chapter 29, except class size limits for prekindergarten classes imposed under Section 25.112, which do not apply;

(I) extracurricular activities under Section 33.081;

(J) discipline management practices or behavior management techniques under Section 37.0021;

(K) health and safety under Chapter 38;

(L) the provisions of Subchapter A, Chapter 39;

(M) public school accountability and special investigations under Subchapters A, B, C, D, F, G, and J, Chapter 39, and Chapter 39A;

(N) the requirement under Section 21.006 to report an educator's misconduct;

(O) intensive programs of instruction under Section 28.0213;

(P) the right of a school employee to report a crime, as provided by Section 37.148;

(Q) bullying prevention policies and procedures under Section 37.0832;

(R) the right of a school under Section 37.0052 to

place a student who has engaged in certain bullying behavior in a disciplinary alternative education program or to expel the student;

(S) the right under Section 37.0151 to report to local law enforcement certain conduct constituting assault or harassment;

(T) a parent's right to information regarding the provision of assistance for learning difficulties to the parent's child as provided by Sections 26.004(b)(11) and 26.0081(c) and (d);

(U) establishment of residency under Section 25.001;

(V) school safety requirements under Sections 37.0814, 37.108, 37.1081, 37.1082, 37.1083, 37.1084, 37.1085, 37.1086, 37.109, 37.113, 37.114, 37.1141, 37.115, 37.207, and 37.2071 and Subchapter J, Chapter 37;

(W) the early childhood literacy and mathematics proficiency plans under Section 11.185;

(X) the college, career, and military readiness plans under Section 11.186; and

(Y) parental options to retain a student under Section 28.02124.

SECTION 5.02. The heading to Section 21.4552, Education

Code, is amended to read as follows:

Sec. 21.4552. TEACHER LITERACY ACHIEVEMENT AND READING INTERVENTION ACADEMIES.

SECTION 5.03. Section 21.4552, Education Code, is amended by amending Subsections (b) and (d) and adding Subsections (d-1), (g), (h), and (i) to read as follows:

(b) A literacy achievement academy developed under this section:

(1) for teachers who provide reading instruction to students at the kindergarten or first, second, or third grade level:

(A) must include training in:

(i) effective and systematic instructional practices in reading, including phonemic awareness, phonics, fluency, vocabulary, and comprehension; and

(ii) the use of empirically validated instructional methods that are appropriate for struggling readers; and

(B) may include training in effective instructional practices in writing;

(2) for teachers who provide reading instruction to students at the fourth or fifth grade level:

(A) must include effective instructional

practices that promote student development of reading comprehension and inferential and critical thinking;

(B) must provide training in the use of empirically validated instructional methods that are appropriate for struggling readers; and

(C) may include material on writing instruction;

(3) for teachers who provide reading instruction to students at the sixth, seventh, or eighth grade level, must include training in:

(A) strategies to be implemented in English language arts and other subject areas for multisyllable word reading, vocabulary development, and comprehension of expository and narrative text;

(B) an adaptation framework that enables teachers to respond to differing student strengths and needs, including adaptations for students of limited English proficiency or students receiving special education services under Subchapter A, Chapter 29;

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

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

(4) ~~[for teachers who provide reading instruction to~~

~~students at the seventh or eighth grade level, must include training in:~~

~~[(A) administration of the reading instrument required by Section 28.006(c-1); and~~

~~[(B) interpretation of the results of the reading instrument required by Section 28.006(c-1) and strategies, based on scientific research regarding effective reading instruction, for long-term intensive intervention to target identified student needs in word recognition, vocabulary, fluency, and comprehension; and~~

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

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

(B) other areas identified by the commissioner.

(d) Except as provided by Subsection (d-1), from funds provided under Section 48.108 or other available [From] funds [appropriated for that purpose], a classroom teacher who provides instruction to students in kindergarten through third grade and completes [attends] a literacy achievement academy is entitled to receive a stipend from the school district in the amount determined

by the commissioner. From funds appropriated for that purpose, a district may provide a stipend to a classroom teacher who provides instruction to students in a grade level above third grade. A stipend received under this subsection is not considered in determining whether a school district is paying the classroom teacher the minimum monthly salary under Section 21.402.

(d-1) A school district is not required to provide a stipend under Subsection (d) to a classroom teacher if the teacher:

(1) attends the literacy achievement academy as part of an educator preparation program in which the teacher is enrolled;

(2) attends the literacy achievement academy on a day or during hours of service included in the term of the teacher's contract; or

(3) is not directed or approved by the school district at which the teacher is employed to attend the literacy achievement academy.

(g) The agency shall develop a method for evaluating a literacy achievement academy to determine the effectiveness of the academy, including whether the academy improves teaching practices and student literacy proficiency. A school district or open-enrollment charter school shall provide any information requested by the agency for purposes of evaluating literacy achievement academies under this subsection.

(h) In addition to the literacy achievement academies developed under Subsection (a), the commissioner shall develop and make available reading intervention academies for teachers or other professionals who provide reading interventions to students who require targeted instruction in foundational reading skills.

(i) The commissioner may establish an advisory board to assist the agency in fulfilling the agency's duties under this section. A recommendation of the advisory board shall be made available to the public. Chapter 2110, Government Code, does not apply to an advisory board established under this subsection.

SECTION 5.04. The heading to Section 21.4553, Education Code, is amended to read as follows:

Sec. 21.4553. TEACHER MATHEMATICS ACHIEVEMENT AND INTERVENTIONIST ACADEMIES.

SECTION 5.05. Section 21.4553, Education Code, is amended by amending Subsection (d) and adding Subsections (d-1), (g), (h), and (i) to read as follows:

(d) Except as provided by Subsection (d-1), from funds provided under Section 48.108 or other available [From] funds [appropriated for that purpose], a classroom teacher who completes [attends] a mathematics achievement academy is entitled to receive a stipend from the school district in the amount determined by the commissioner. A stipend received under this subsection is not

considered in determining whether a district is paying the classroom teacher the minimum monthly salary under Section 21.402.

(d-1) A school district is not required to provide a stipend under Subsection (d) to a classroom teacher if the teacher:

(1) attends the mathematics achievement academy as part of an educator preparation program in which the teacher is enrolled;

(2) attends the mathematics achievement academy on a day or during hours of service included in the term of the teacher's contract; or

(3) is not directed or approved by the school district at which the teacher is employed to attend the mathematics achievement academy.

(g) The agency shall develop a method for evaluating a mathematics achievement academy to determine the effectiveness of the academy, including whether the academy improves teaching practices and student math proficiency. A school district or open-enrollment charter school shall provide any information requested by the agency for purposes of evaluating mathematics achievement academies under this subsection.

(h) In addition to the mathematics achievement academies developed under Subsection (a), the commissioner shall develop and make available mathematics interventionist academies for a teacher

or other professional who provides mathematics interventions to students who require targeted instruction in foundational mathematics skills.

(i) The commissioner may establish an advisory board to assist the agency in fulfilling the agency's duties under this section. A recommendation of the advisory board shall be made available to the public. Chapter 2110, Government Code, does not apply to an advisory board established under this subsection.

SECTION 5.06. Subchapter C, Chapter 25, Education Code, is amended by adding Section 25.0816 to read as follows:

Sec. 25.0816. ADDITIONAL DAYS SCHOOL YEAR PLANNING GRANT PROGRAM. (a) From money appropriated or otherwise available for the purpose, the agency shall establish and administer a grant program to provide funding and technical assistance to school districts and open-enrollment charter schools to plan the school year and adjust operations as necessary to qualify for the incentive funding under Section 48.0051.

(b) In awarding grants under the program, the agency shall prioritize school districts and open-enrollment charter schools that seek to maximize incentive funding under Section 48.0051.

(c) The agency may solicit and accept gifts, grants, and donations for purposes of this section.

SECTION 5.07. Section 25.085(d), Education Code, is amended

to read as follows:

(d) Unless specifically exempted by Section 25.086, a student enrolled in a school district must attend:

(1) an extended-year program for which the student is eligible that is provided by the district for students identified as likely not to be promoted to the next grade level or tutorial classes required by the district under Section 29.084;

(2) a reading intervention program [~~an accelerated reading instruction program~~] to which the student is assigned under Section 28.0064 [~~28.006(g)~~];

(3) an accelerated instruction program to which the student is assigned under Section 28.0211;

(4) a basic skills program to which the student is assigned under Section 29.086; or

(5) a summer program provided under Section 37.008(1) or Section 37.021.

SECTION 5.08. The heading to Section 28.006, Education Code, is amended to read as follows:

Sec. 28.006. KINDERGARTEN READING READINESS [~~DIAGNOSIS~~].

SECTION 5.09. Section 28.006, Education Code, is amended by amending Subsections (a), (b), (b-1), (c-2), (c-3), (d), (f), and (h) and adding Subsection (n) to read as follows:

(a) The commissioner shall develop recommendations for

school districts for:

(1) administering reading instruments to measure students' foundational literacy skills in ~~[diagnose student]~~ reading development and comprehension;

(2) training educators in administering the reading instruments; and

(3) applying the results of the reading instruments to the instructional program.

(b) The commissioner shall adopt a ~~[list of]~~ reading instrument ~~[instruments]~~ that a school district shall ~~[may]~~ use at the beginning of the school year to measure a kindergarten student's foundational literacy skills in ~~[diagnose student]~~ reading development and comprehension. A reading instrument adopted under this subsection may include other developmental skills as part of ~~[For use in diagnosing the reading development and comprehension of kindergarten students, the commissioner shall adopt]~~ a multidimensional assessment tool ~~[that includes a reading instrument and tests at least three developmental skills, including literacy. A multidimensional assessment tool administered as provided by this subsection is considered to be a reading instrument for purposes of this section. A district level committee established under Subchapter F, Chapter 11, may adopt a list of reading instruments for use in the district in a grade~~

~~level other than kindergarten in addition to the reading instruments on the commissioner's list].~~ A ~~[Each]~~ reading instrument adopted by the commissioner ~~[or a district-level committee]~~ must be based on scientific research concerning foundational literacy skills in reading ~~[skills]~~ development and ~~[reading]~~ comprehension and ~~[. A list of reading instruments adopted under this subsection must]~~ provide for measuring ~~[diagnosing]~~ the foundational literacy skills in reading development and comprehension of students, including students participating in a program under Subchapter B, Chapter 29.

(b-1) The commissioner may approve not more than two ~~[an]~~ alternative reading instruments ~~[instrument]~~ for use in measuring ~~[diagnosing]~~ the foundational literacy skills in reading development and comprehension of kindergarten students that complies with the requirements under Subsection (b).

(c-2) Not later than the 60th day after the beginning of the school year, each ~~[Each]~~ school district shall administer at the kindergarten level a reading instrument adopted by the commissioner under Subsection (b) or approved by the commissioner under Subsection (b-1). The district shall administer the reading instrument in accordance with the commissioner's recommendations under Subsection (a)(1) and policies developed by commissioner rule.

(c-3) The commissioner by rule shall determine the performance on a [the] reading instrument adopted or approved under this section ~~[Subsection (b)]~~ that indicates kindergarten readiness. Each reading instrument adopted or approved under this section must provide for the ability to compare the performance that indicates kindergarten readiness on that instrument with the performance that indicates kindergarten readiness on other instruments adopted or approved under this section.

(d) The superintendent of each school district shall:

(1) report to the commissioner and the board of trustees of the district at a public meeting of the board the results of a [the] reading instrument administered to students under this section ~~[instruments]~~;

(2) not later than the earlier of the 20th school day or the 30th ~~[60th]~~ calendar day after the date on which the results of a reading instrument are available, ~~[was administered]~~ report, in writing or electronically, to a student's parent or guardian the student's results on the instrument; and

(3) using the school readiness certification system provided to the school district in accordance with Section 29.161(e), report electronically each student's raw score on the reading instrument to the agency for use in the school readiness certification system.

(f) The agency shall ensure ~~[at least one]~~ reading instruments adopted or approved ~~[instrument for each grade level for which a reading instrument is required to be administered]~~ under this section are ~~[is]~~ available to school districts at no cost.

(h) The school district shall make a good faith effort to ensure that the report ~~[notice]~~ required under Subsection (d)(2) ~~[this section]~~ is provided either in person or electronically ~~[by regular mail]~~ and that the report ~~[notice]~~ is clear and easy to understand and is written in English and in the parent or guardian's native language.

(n) Nothing in this section may be construed to circumvent or supplant federal or state law regarding a student who participates in a special education program under Subchapter A, Chapter 29, or a student who is suspected to have a disability and who may be eligible to participate in a special education program under that subchapter.

SECTION 5.10. Subchapter A, Chapter 28, Education Code, is amended by adding Sections 28.0063, 28.0064, 28.0065, and 28.0071 to read as follows:

Sec. 28.0063. EARLY LITERACY AND NUMERACY INSTRUMENTS. (a)
The commissioner shall adopt a list of reading and mathematics instruments approved or developed by the commissioner for use by

school districts in kindergarten through grade three to measure students' foundational literacy skills in reading development and comprehension and foundational numeracy skills in mathematics.

(b) A reading or mathematics instrument adopted under Subsection (a) must:

(1) be based on scientific research concerning, as applicable:

(A) foundational literacy skills in reading development and comprehension; or

(B) foundational numeracy skills in mathematics;

(2) be capable of being administered at the beginning, middle, and end of the school year;

(3) be designed to assess the performance of students in, as applicable:

(A) the foundational literacy skills components of the essential knowledge and skills adopted under Section 28.002 for language arts; or

(B) the foundational numeracy skills components of the essential knowledge and skills adopted under Section 28.002 for mathematics;

(4) be capable of monitoring student progress in a manner that allows school district staff to identify specific foundational literacy or numeracy skills in need of targeted

instruction;

(5) assess whether a student's skills identified as in need of targeted instruction indicate that the student is at risk, as determined by the agency, of not achieving satisfactory performance on the third grade reading or mathematics assessment administered under Section 39.023;

(6) for a reading instrument for students in kindergarten and first grade, include the applicable elements and criteria to serve as the required screenings for dyslexia and related disorders under Section 38.003; and

(7) for a reading instrument, allow a school district to generate a report regarding a student's reading progress, including progress from previous administrations of the same instrument, that is clear and easy to understand that may be distributed to the student's parent in English, Spanish, or, to the extent practicable, any other language spoken by the parent.

(c) The commissioner shall:

(1) update the list of reading and mathematics instruments adopted under Subsection (a) not less than once every four years;

(2) ensure the list adopted under Subsection (a) includes multiple reading and mathematics instruments;

(3) develop a process by which a school district may

submit an instrument to the commissioner for approval; and

(4) make publicly available the criteria for the evaluation and approval of an instrument submitted to the commissioner.

(d) The instruments adopted or approved under this section shall be administered as follows:

(1) for kindergarten, at the middle and end of the school year;

(2) for first and second grade, at the beginning, middle, and end of the school year; and

(3) for third grade, at the beginning and middle of the school year.

(e) The commissioner shall align and determine comparability of the instruments administered under this section with the following instruments:

(1) an instrument adopted or approved under Section 28.006 that is administered to a kindergarten student at the beginning of the school year; and

(2) a third grade assessment instrument adopted or developed under Section 39.023 that is administered at the end of the school year for a third grade student.

(f) If the commissioner determines that an interim assessment instrument adopted under Section 39.023(o) provides the

same intended outcomes as an instrument adopted or approved under this section, the commissioner may substitute that interim assessment instrument for an instrument adopted or approved under this section.

(g) A school district shall administer to students in kindergarten through third grade a reading instrument and a mathematics instrument adopted under Subsection (a) in accordance with requirements and recommendations established by the commissioner under this section, including requirements or recommendations related to:

- (1) administering the instruments;
- (2) training staff on the instruments; and
- (3) applying the results of the instruments to the district's instructional program.

(h) The superintendent of each school district shall:

- (1) report to the commissioner and the board of trustees of the district at a public meeting of the board the results of a reading or mathematics instrument administered to students under this section; and

- (2) not later than the earlier of the 20th school day or the 30th calendar day after the date on which the results of a reading or mathematics instrument are available, report, in writing or electronically, to a student's parent or guardian:

(A) the student's results on the instrument;
(B) for a reading instrument, the report described
by Subsection (b) (7); and

(C) if the student is determined to be at risk for
dyslexia or a related disorder based on the results of the reading
instrument, information regarding that determination.

(i) The agency shall establish a list of reading and
mathematics instruments adopted under Subsection (a) for which the
agency has negotiated a price. A school district is not required
to use a method provided by Section 44.031 to purchase an
instrument on the list established under this subsection.

(j) A student's parent or guardian may submit a written
request to the administrator of the campus at which the student is
enrolled to opt the student out of the administration of a reading
or mathematics instrument required under this section. A school
district may not encourage or direct a parent or guardian to submit
a written request under this subsection.

(k) The commissioner shall adopt rules as necessary to
implement this section.

(l) Section 2001.0045, Government Code, does not apply to a
rule adopted under this section.

(m) A school district may comply with the requirements of
Subsection (g) by administering a reading or mathematics

instrument selected by the board of trustees of the school district that meets the requirements of Subsection (b) until the commissioner adopts the list of reading and mathematics instruments under Subsection (a). This subsection expires September 1, 2029.

Sec. 28.0064. EARLY LITERACY INTERVENTION FOR CERTAIN STUDENTS. (a) If a student's results on two consecutive reading instruments administered under Section 28.0063 indicate that the student is at risk, as determined by the agency, of not achieving satisfactory performance in foundational literacy, a school district shall, as soon as practicable following the receipt of the student's results, provide reading interventions to the student.

(b) Reading interventions provided under Subsection (a) must:

(1) include targeted instruction in the foundational literacy skills identified as areas in need of targeted instruction by the reading instrument administered under Section 28.0063;

(2) ensure that the student receives the interventions during a period and at a frequency sufficient to address the areas described by Subdivision (1);

(3) include effective instructional materials designed for reading intervention;

(4) be provided by a person:

(A) with training in reading interventions and in the applicable instructional materials described by Subdivision (3); and

(B) under the oversight of the school district;

(5) to the extent possible, be provided by one person for the entirety of the student's reading intervention period; and

(6) meet any additional requirements adopted by the commissioner.

(c) A school district shall continue providing reading intervention to a student under this section until the earlier of the date on which:

(1) the student is no longer determined to be at risk, as determined by the agency, of not achieving satisfactory performance in foundational literacy on a reading instrument administered under Section 28.0063; or

(2) the student begins the fourth grade.

(d) In providing reading interventions under this section, a school district may not remove a student, except under circumstances for which a student enrolled in the same grade level who is not receiving reading interventions would be removed, from:

(1) instruction in the foundation curriculum and enrichment curriculum adopted under Section 28.002 for the grade

level in which the student is enrolled; or

(2) recess or other physical activity that is available to other students enrolled in the same grade level.

(e) The agency shall approve one or more products that use an automated, computerized, or other augmented method for providing reading interventions. The agency may approve a product under this subsection only if evidence indicates that the product is effective at promoting mastery of foundational literacy skills.

(f) Subject to appropriation, the agency shall ensure that at least one product approved under Subsection (e) is available to school districts at no or reduced cost.

(g) A student's parent or guardian may submit a written request to the administrator of the campus at which the student is enrolled to opt the student out of all or part of the reading intervention requirements under Subsection (b). A school district may not encourage or direct a parent or guardian to submit a written request under this subsection that would allow the district to not provide reading interventions to the student.

(h) A school district must provide to the parent or guardian of a student receiving reading interventions under this section the notice required under Section 26.0081(d).

(i) Nothing in this section may be construed to prevent or discourage reading interventions for a student whose results on a

reading instrument administered under Section 28.0063 indicate that the student is at risk, as determined by the agency, of not achieving satisfactory performance in foundational literacy.

(j) Nothing in this section may be construed to circumvent or supplant federal or state law regarding a student who participates in a special education program under Subchapter A, Chapter 29, or a student who is suspected to have a disability and who may be eligible to participate in a special education program under that subchapter.

(k) The commissioner shall adopt rules as necessary to implement this section, including rules that define appropriate standards for implementing reading interventions that meet the requirements of Subsection (b).

(l) Section 2001.0045, Government Code, does not apply to a rule adopted under this section.

(m) A school district is not required to comply with the requirements of this section until the commissioner adopts a list of reading and mathematics instruments under Section 28.0063 and designates the first school year that districts must comply with this section. This subsection expires September 1, 2029.

Sec. 28.0065. ADAPTIVE VOCABULARY PILOT PROGRAM. (a) The agency shall develop and implement an adaptive vocabulary assessment pilot program to assess vocabulary development in

students in kindergarten through third grade.

(b) The agency may develop an assessment under the pilot program to assess students in grades other than grades described by Subsection (a).

(c) Nothing in this section may be construed to circumvent or supplant federal or state law regarding a student who participates in a special education program under Subchapter A, Chapter 29, or a student who is suspected to have a disability and who may be eligible to participate in a special education program under that subchapter.

(d) The commissioner may adopt rules as necessary to implement this section.

Sec. 28.0071. MATHEMATICS TRAINING FOR KINDERGARTEN THROUGH EIGHTH GRADE. (a) Each school district and open-enrollment charter school shall ensure that:

(1) not later than the 2030-2031 school year, each classroom teacher that provides instruction in mathematics to students in kindergarten through eighth grade and each principal, assistant principal, mathematics instructional coach, and mathematics interventionist at a campus with one of those grade levels has attended a teacher mathematics achievement academy developed under Section 21.4553; and

(2) each classroom teacher and principal initially

employed in a grade level or at a campus described by Subdivision (1) for the 2030-2031 school year or a subsequent school year has attended a teacher mathematics achievement academy developed under Section 21.4553 by the end of the teacher's or principal's first year of placement in that grade level or campus.

(b) The agency shall provide assistance to school districts and open-enrollment charter schools in complying with the requirements under this section.

(c) The agency shall:

(1) monitor the implementation of this section; and
(2) periodically report to the legislature on the implementation of this section and the effectiveness of this section in improving educational outcomes.

(d) The commissioner may adopt rules to implement this section.

SECTION 5.11. Subchapter B, Chapter 28, Education Code, is amended by adding Section 28.02111 to read as follows:

Sec. 28.02111. FIRST THROUGH THIRD GRADE SUPPLEMENTARY SUPPORTS. (a) The commissioner shall establish and administer a program designed to help improve student proficiency in reading by providing a grant in an amount provided under Section 48.317 through which the student's parent may purchase tutoring services from agency-approved providers to:

(1) a student at or below the third grade level who, beginning in the first grade, is required to be provided reading interventions under Section 28.0064; and

(2) a student who is required to be provided accelerated instruction under Section 28.0211(a-1) based on the student's third grade performance.

(b) The agency shall approve as a provider of tutoring services under this section a classroom teacher employed by a school district or open-enrollment charter school who:

(1) holds a current teacher designation under Section 21.3521; and

(2) submits the teacher's name to the agency to offer tutoring services designed to help improve student proficiency in reading.

(c) The agency shall:

(1) maintain a system of online accounts under which each student described by Subsection (a) is assigned an account for the student's parent to access the grant described by Subsection (a); and

(2) implement the program in a manner that ensures:

(A) ease of use for parents of students who are eligible for a grant under this section;

(B) fidelity of spending; and

(C) a parent of a student awarded a grant under this section is provided a period of one year from the date on which the grant is awarded to obtain services for which grant money may be used.

(d) A student may not receive more than one grant under Subsection (a)(1) and one grant under Subsection (a)(2) unless the legislature provides for additional grants by appropriation.

(e) The agency may reserve from the total amount of money available for purposes of the program an amount, not to exceed five percent of the total amount, to cover the agency's cost of administering the program.

(f) A school district or open-enrollment charter school in which a student who receives a grant under this section is enrolled remains subject to the requirements to provide reading interventions under Section 28.0064 and accelerated instruction under Section 28.0211, as applicable.

(g) A school district or open-enrollment charter school shall provide to the parent of a student described by Subsection (a) notice of the student's eligibility for a grant under this section, in a form and manner established by the agency.

(h) A decision by the commissioner regarding the program under this section is final and may not be appealed.

(i) The commissioner shall adopt rules as necessary to

implement this section.

SECTION 5.12. Section 29.0031, Education Code, is amended by adding Subsection (e) to read as follows:

(e) A school district shall notify the parent of a student identified with dyslexia or a related disorder of the Talking Book Program administered by the Texas State Library and Archives Commission and other available audio book services.

SECTION 5.13. Section 29.153, Education Code, is amended by amending Subsections (b) and (g) and adding Subsections (g-1), (h), and (i) to read as follows:

(b) A child is eligible for enrollment in a prekindergarten class under this section if the child is at least three years of age and:

(1) is unable to speak and comprehend the English language;

(2) is educationally disadvantaged;

(3) is homeless, regardless of the residence of the child, of either parent of the child, or of the child's guardian or other person having lawful control of the child;

(4) is the child of an active duty member of the armed forces of the United States, including the state military forces or a reserve component of the armed forces, who is ordered to active duty by proper authority;

(5) is the child of a member of the armed forces of the United States, including the state military forces or a reserve component of the armed forces, who was injured or killed while serving on active duty;

(6) is or ever has been in:

(A) the conservatorship of the Department of Family and Protective Services following an adversary hearing held as provided by Section 262.201, Family Code; or

(B) foster care in another state or territory, if the child resides in this state; ~~[or]~~

(7) is the child of a person eligible for the Star of Texas Award as:

(A) a peace officer under Section 3106.002, Government Code;

(B) a firefighter under Section 3106.003, Government Code; or

(C) an emergency medical first responder under Section 3106.004, Government Code; or

(8) is the child of a person employed as a classroom teacher at a public primary or secondary school in the school district that offers a prekindergarten class under this section.

(g) Before a school district or open-enrollment charter school may construct, repurpose, or lease a classroom facility, or

issue bonds for the construction or repurposing of a classroom facility, to provide the prekindergarten classes required under this section, the district or school must:

(1) solicit and consider proposals for partnerships to provide those classes with community-based child-care providers who:

(A) [~~+1~~] are a Texas Rising Star Program provider with a three-star certification or higher;

(B) [~~+2~~] are nationally accredited;

(C) [~~+3~~] are a Head Start program provider;

(D) [~~+4~~] are a Texas School Ready! participant;

or

(E) [~~+5~~] meet the requirements under Section 29.1532; and

(2) have received an official determination from a prekindergarten partnership intermediary designated under Subsection (g-1) that the providers from which the district or school has considered proposals under Subdivision (1) are unable to serve the students for whom the district or school plans to provide prekindergarten classes in the classroom facility to be constructed, repurposed, or leased.

(g-1) The commissioner shall designate at least four appropriate entities as prekindergarten partnership intermediaries

to develop partnerships between school districts and open-enrollment charter schools and private prekindergarten providers. The agency shall develop guidelines for use by the prekindergarten partnership intermediaries regarding successful prekindergarten partnerships between school districts and open-enrollment charter schools and private prekindergarten providers.

(h) Notwithstanding any other law, a facility or location at which prekindergarten classes are provided by a school district or open-enrollment charter school in partnership with a private entity under this section:

(1) must comply with any municipal ordinance applicable to the operation of a private prekindergarten program; and

(2) may not be required to comply with any municipal ordinance applicable to the operation of a prekindergarten program by a school district or open-enrollment charter school.

(i) A partnership entered into between a school district or open-enrollment charter school and a private provider for a prekindergarten class under this section must provide for the provider to receive funding for each district or school student enrolled in the class in an amount that is not less than 85 percent of the amount of funding that the district or school receives for the student. Notwithstanding Section 7.056(e)(3)(I), the commissioner may waive the requirement under this subsection on

request by a school district or open-enrollment charter school in accordance with Section 7.056.

SECTION 5.14. Section 29.1531, Education Code, is amended by amending Subsections (a) and (b) and adding Subsections (c) and (d) to read as follows:

(a) Except as provided by Subsection (c), a [A] school district may offer on a tuition basis or use district funds to provide:

(1) an additional half-day of prekindergarten classes to children who are eligible for classes under Section 29.153 and are under four years of age; and

(2) half-day and full-day prekindergarten classes to children not eligible for classes under Section 29.153.

(b) A district that offers a prekindergarten program on a tuition basis[+]

[+1+] may not adopt a tuition rate for the program that is higher than necessary to cover the added costs of providing the program, including any costs associated with collecting, reporting, and analyzing data under Section 29.1532(c) [+and

[+2] ~~must submit the proposed tuition rate to the commissioner for approval~~].

(c) A school district may offer a prekindergarten program on a tuition basis only if the district has received an official

determination from a prekindergarten partnership intermediary designated under Section 29.153(g-1) that no private prekindergarten providers that meet the qualifications of Section 29.153(g)(1)(A), (B), (C), or (D) are available to serve the students for whom the district plans to charge tuition.

(d) The commissioner may adopt rules under this section, including rules establishing the manner in which a prekindergarten partnership intermediary may determine whether a private prekindergarten provider is available.

SECTION 5.15. Section 29.1543, Education Code, is amended to read as follows:

Sec. 29.1543. EARLY EDUCATION REPORTS. The agency shall produce and make available to the public on the agency's Internet website annual district and campus-level reports containing information from the previous school year on early education in school districts and open-enrollment charter schools. A report under this section must contain:

(1) the information required by Section 29.1532(c) to be reported through the Public Education Information Management System (PEIMS);

(2) a description of the ~~[diagnostic]~~ reading instruments administered in accordance with Section 28.006(c-2) ~~[28.006(c) or (c-2)]~~;

(3) the number of students who were administered a ~~[diagnostic]~~ reading instrument administered in accordance with Section 28.006(c-2) [~~28.006(e) or (e-2)~~];

(4) the number of students whose scores from a ~~[diagnostic]~~ reading instrument administered in accordance with Section 28.006(c-2) [~~28.006(e) or (e-2)~~] indicate kindergarten readiness in reading [~~proficiency~~];

(5) the number of kindergarten students who were enrolled in a prekindergarten program, including a program offered through a partnership under Section 29.153, in the previous school years [~~year~~] in the same district or school as the district or school in which the student attends kindergarten;

(6) the number and percentage of students who perform satisfactorily on the third grade reading or mathematics assessment instrument administered under Section 39.023, disaggregated by whether the student was eligible for free prekindergarten under Section 29.153;

(7) the number of students described by Subdivision (6) who attended kindergarten in the district, disaggregated by:

(A) whether the student met the kindergarten readiness standard on a [~~the~~] reading instrument adopted under Section 28.006;

(B) whether the student attended prekindergarten

in the district, including a program offered through a partnership under Section 29.153; and

(C) the type of prekindergarten the student attended, if applicable; and

(8) the information described by Subdivisions (6) and (7) disaggregated by whether the student is educationally disadvantaged.

SECTION 5.16. Section 29.161(c), Education Code, is amended to read as follows:

(c) The system must:

(1) be reflective of research in the field of early childhood care and education;

(2) be well-grounded in the cognitive, social, and emotional development of young children;

(3) apply a common set of criteria to each program provider seeking certification, regardless of the type of program or source of program funding; and

(4) be capable of fulfilling the reporting and notice requirements of Section [~~Sections~~] 28.006(d) [~~and (g)~~].

SECTION 5.17. Section 29.167, Education Code, is amended by amending Subsections (b-1) and (b-3) and adding Subsection (b-4) to read as follows:

(b-1) Notwithstanding Subsection (b), each teacher for a

prekindergarten class provided by an entity with which a school district contracts to provide a prekindergarten program must:

(1) be certified under Subchapter B, Chapter 21, to teach prekindergarten or supervised by a person who meets the requirements under Subsection (b); ~~and~~

(2) have one of the following qualifications:

(A) at least two years' experience of teaching in a nationally accredited child care program or a Texas Rising Star Program and:

(i) a Child Development Associate (CDA) credential or another early childhood education credential approved by the agency; or

(ii) certification offered through a training center accredited by Association Montessori Internationale or through the Montessori Accreditation Council for Teacher Education; or

(B) a qualification described by Subsection (b)(2)(A), (D), (E), or (F); and

(3) when appropriate, be appropriately certified or be supervised by a person who is appropriately certified to provide effective instruction to emergent bilingual students, as defined by Section 29.052, enrolled in the prekindergarten program.

(b-3) Subsections (b-1), ~~and~~ (b-2), and (b-4) and this

subsection expire September 1, 2029.

(b-4) Subsections (b-1) and (b-2) apply to any prekindergarten class provided by an entity with which a school district contracts to provide a prekindergarten program under Section 29.153.

SECTION 5.18. Sections 29.934(b) and (d), Education Code, are amended to read as follows:

(b) To apply to be designated as a resource campus under this section, the campus must have received an overall performance rating under Section 39.054 of D or F, or an overall performance rating under Section 39.054(a-4)(1) or 39.0546 of "Not Rated," for three ~~four~~ years over a 10-year period of time.

(d) To be designated as a resource campus, the campus must:

(1) implement a targeted improvement plan as described by Chapter 39A and establish a school community partnership team;

(2) adopt an accelerated campus excellence turnaround plan as provided by Section 39A.105(b) ~~[except that a classroom teacher who satisfies the requirements for demonstrated instructional effectiveness under Section 39A.105(b)(3) must also hold a current designation assigned under Section 21.3521];~~

(3) be in a school district that has adopted an approved local optional teacher designation system under Section 21.3521;

(4) satisfy certain staff criteria by:

(A) requiring a principal or teacher employed at the campus before the designation to apply for a position to continue at the campus;

(B) for a subject in the foundation curriculum under Section 28.002(a)(1):

(i) employing only teachers who have at least two [~~three~~] years of teaching experience; and

(ii) ensuring that at least 50 percent of teachers hold a current designation assigned under Section 21.3521;

(C) employing at least one school counselor for every 300 students; and

(D) employing at least one appropriately licensed professional to assist with the social and emotional needs of students and staff, who must be a:

- (i) family and community liaison;
- (ii) clinical social worker;
- (iii) specialist in school psychology; or
- (iv) professional counselor;

(5) implement a positive behavior program as provided by Section 37.0013;

(6) implement a family engagement plan as described by Section 29.168;

(7) develop and implement a plan to use high quality instructional materials;

(8) if the campus is an elementary or middle school campus, operate the campus for a school year that qualifies for funding under Section 48.0051; and

(9) annually submit to the commissioner data and information required by the commissioner to assess fidelity of implementation.

SECTION 5.19. Effective September 1, 2028, Section 29.934, Education Code, is amended by amending Subsection (b) and adding Subsection (b-1) to read as follows:

(b) To apply to be designated as a resource campus under this section, the campus must have received an overall performance rating under Section 39.054 of D or F, or an overall performance rating under Section 39.054(a-4)(1) of "Not Rated," for three [~~four~~] years over a 10-year period of time.

(b-1) Notwithstanding Subsection (b), a campus may apply to be designated as a resource campus under this section if the campus received an overall performance rating under Section 39.054 of D or F, or an overall performance rating under Section 39.054(a-4)(1) or former Section 39.0546 of "Not Rated," for three years over a 10-year period of time. This subsection expires September 1, 2033.

SECTION 5.20. Section 31.0752, Education Code, is amended to read as follows:

Sec. 31.0752. OPEN EDUCATION RESOURCE INSTRUCTIONAL MATERIAL SUPPORT PROGRAM. (a) The agency shall develop and maintain a program to assist school districts and open-enrollment charter schools in adopting and using open education resource instructional material made available under this subchapter, including by assisting districts and schools to:

(1) maintain the instructional flexibility of classroom teachers to address the needs of each student; and

(2) schedule instructional periods in a manner that allows classroom teachers sufficient time to effectively prepare and present instructional material within the teacher's normal work day.

(b) The agency shall engage in efforts to meet the demand from school districts and open-enrollment charter schools that request assistance under this section for the 2024-2025 or 2025-2026 school year. A school district or open-enrollment charter school may apply assistance received under this subsection to offset the payment of costs related to implementing open education resource instructional material, regardless of whether the district or school incurred the cost before receiving the assistance. This subsection expires September 1, 2027.

SECTION 5.21. Subchapter B-1, Chapter 31, Education Code, is amended by adding Section 31.0754 to read as follows:

Sec. 31.0754. COMMUNICATION REGARDING HIGH QUALITY INSTRUCTIONAL MATERIALS. (a) Notwithstanding Chapter 2113, Government Code, the commissioner may enter into contracts or agreements and engage in efforts to communicate information to parents, classroom teachers, school districts, and open-enrollment charter schools regarding the educational value, particularly the impact on reading and math achievement, of open education resource instructional materials made available under this subchapter, including activities to promote, market, and advertise the content included in and how to use those materials.

(b) The commissioner may use appropriated funds or funds appropriated for the development of open education resource instructional materials under this subchapter to pay for activities authorized under this section.

SECTION 5.22. Section 38.003, Education Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) The State Board of Education shall identify the necessary criteria and elements that provide for universal screening ~~[Students enrolling in public schools in this state shall be screened or tested, as appropriate,]~~ for dyslexia and related

disorders for students ~~[at appropriate times in accordance with a program approved by the State Board of Education. The program must include screening at the end of the school year of each student]~~ in kindergarten and ~~[each student in the]~~ first grade.

(a-1) The criteria and elements identified under Subsection (a) must be included in the reading instruments adopted or approved under Section 28.0063 and administered in accordance with the timelines established under that section.

SECTION 5.23. Section 39.333, Education Code, is amended to read as follows:

Sec. 39.333. REGIONAL AND DISTRICT LEVEL REPORT. As part of the comprehensive biennial report under Section 39.332, the agency shall submit a regional and district level report covering the preceding two school years and containing:

(1) a summary of school district compliance with the student/teacher ratios and class-size limitations prescribed by Sections 25.111 and 25.112, including:

(A) the number of campuses and classes at each campus granted an exception from Section 25.112; and

(B) for each campus granted an exception from Section 25.112, a statement of whether the campus has been awarded a distinction designation under Subchapter G or has been identified as an unacceptable campus under Chapter 39A;

(2) a summary of the exemptions and waivers granted to campuses and school districts under Section 7.056 or 39.232 and a review of the effectiveness of each campus or district following deregulation;

(3) an evaluation of the performance of the system of regional education service centers based on the indicators adopted under Section 8.101 and client satisfaction with services provided under Subchapter B, Chapter 8; and

(4) ~~[an evaluation of accelerated instruction programs offered under Section 28.006, including an assessment of the quality of such programs and the performance of students enrolled in such programs; and~~

~~[(5)]~~ the number of classes at each campus that are currently being taught by individuals who are not certified in the content areas of their respective classes.

SECTION 5.24. Section 48.0051, Education Code, is amended by amending Subsections (a), (b), and (d) and adding Subsection (b-1) to read as follows:

(a) The ~~[Subject to Subsection (a-1), the]~~ commissioner shall adjust the average daily attendance of a school district or open-enrollment charter school under Section 48.005 in the manner provided by Subsection (b) if the district or school:

(1) provides the minimum number of minutes of

operational and instructional time required under Section 25.081 and commissioner rules adopted under that section over at least 175 [~~180~~] days of instruction; and

(2) offers an additional 30 days of half-day instruction for students enrolled in prekindergarten through eighth [~~fifth~~] grade.

(b) Subject to Subsection (b-1), for [~~For~~] a school district or open-enrollment charter school described by Subsection (a), the commissioner shall increase the average daily attendance of the district or school under Section 48.005 by the amount that results from the quotient of the sum of attendance by students described by Subsection (a)(2) for each of the 30 additional instructional days of half-day instruction that are provided divided by 175 [~~180~~].

(b-1) For a school district or open-enrollment charter school described by Subsection (a) that provides at least 200 full days of instruction to students described by Subsection (a)(2), the commissioner shall increase the amount computed for the district or school under Subsection (b) by 50 percent.

(d) This section does not prohibit a school district from providing the minimum number of minutes of operational and instructional time required under Section 25.081 and commissioner rules adopted under that section over fewer than 175 [~~180~~] days of

instruction.

SECTION 5.25. Subchapter A, Chapter 48, Education Code, is amended by adding Section 48.0052 to read as follows:

Sec. 48.0052. INCENTIVE FOR ADDITIONAL INSTRUCTIONAL DAYS FOR READING INTERVENTIONS. (a) The commissioner shall adjust the average daily attendance of a school district or open-enrollment charter school under Section 48.005 in the manner provided by Subsection (b) if the district or school:

(1) does not qualify for funding under Section 48.0051;
(2) provides the minimum number of minutes of operational and instructional time required under Section 25.081 and commissioner rules adopted under that section; and

(3) offers up to an additional 30 days of half-day instruction consisting of reading interventions described by Section 28.0064 for students who are required to be provided reading interventions under that section.

(b) For a school district or open-enrollment charter school described by Subsection (a), the commissioner shall increase the average daily attendance of the district or school under Section 48.005 by 50 percent of the amount that results from the quotient of the sum of attendance by students described by Subsection (a) (3) for each of the additional instructional days of half-day instruction that are provided divided by 175.

(c) The agency shall assist school districts and open-enrollment charter schools in qualifying for the incentive under this section.

(d) The commissioner shall adopt rules necessary for the implementation of this section.

SECTION 5.26. Section 48.108, Education Code, is amended by amending Subsections (a), (b), and (c) and adding Subsection (a-1) to read as follows:

(a) For each student in average daily attendance in kindergarten through third grade, a school district is entitled to an annual allotment equal to the basic allotment multiplied by 0.01.

(a-1) In addition to the allotment under Subsection (a), a school district is entitled to an annual allotment equal to the basic allotment multiplied by 0.1 for each student in average daily attendance in kindergarten through third grade who ~~[0.1 if the student]~~ is:

(1) educationally disadvantaged; or

(2) an emergent bilingual student, as defined by Section 29.052, and is in a bilingual education or special language program under Subchapter B, Chapter 29.

(b) Funds allocated under this section must be used to fund:

(1) the attendance of teachers employed by the district

at teacher literacy achievement academies under Section 21.4552 or teacher mathematics achievement academies under Section 21.4553;

(2) prekindergarten programs under Subchapters E and E-1, Chapter 29; and

(3) programs and services designed to improve student performance in reading and mathematics in prekindergarten through third grade, including programs and services designed to assist the district in achieving the goals set in the district's early childhood literacy and mathematics proficiency plans adopted under Section 11.185.

(c) A school district is entitled to an allotment under each subdivision of Subsection (a-1) [~~(a)~~] for which a student qualifies.

SECTION 5.27. Subchapter C, Chapter 48, Education Code, is amended by adding Sections 48.1081 and 48.122 to read as follows:

Sec. 48.1081. DISTRIBUTION OF CERTAIN EARLY EDUCATION ALLOTMENT MONEY FOR PURPOSES OF FULL-DAY PREKINDERGARTEN. (a) This section applies only to money to which a school district is entitled under Section 48.108(a-1).

(b) Notwithstanding any other provision of this chapter, from the total amount of money to which school districts are entitled under Section 48.108(a-1), the agency shall, instead of providing money to which this section applies to school districts

in accordance with Section 48.108(a-1), distribute that money as follows:

(1) provide to each school district that operates a full-day program under Section 29.153(c), funding under this chapter based on one-half of the average daily attendance calculated under Section 48.005 for each student in that program; and

(2) if any amount remains after distributing money under Subdivision (1), provide to each school district an amount that is proportional to the district's entitlement under Section 48.108(a-1).

Sec. 48.122. EARLY LITERACY INTERVENTION ALLOTMENT. (a) Except as provided by Subsections (b) and (c), for each enrolled student receiving reading interventions under Section 28.0064, a school district is entitled to an annual allotment of \$250, or a greater amount provided by appropriation.

(b) A school district may not receive funding under this section for a student for which the district receives an allotment under Section 48.103.

(c) A school district may receive funding under this section for not more than 10 percent of students enrolled in the district in kindergarten through third grade.

SECTION 5.28. Subchapter G, Chapter 48, Education Code, is

amended by adding Section 48.317 to read as follows:

Sec. 48.317. THIRD GRADE SUPPLEMENTARY SUPPORTS GRANT;
FUNDING ADJUSTMENT. (a) A student to whom the agency provides a
grant under Section 28.02111 is entitled to receive an amount of
\$400 for each grant for which the student is eligible under that
section, or a greater amount provided by appropriation.

(b) A student may receive only one grant under Section
28.02111(a)(1) and one grant under Section 28.02111(a)(2) unless
the legislature provides for additional grants by appropriation.

(c) Subject to Subsection (d), beginning with the 2030-2031
school year, the agency shall reduce the school district's
entitlement under this chapter each school year by the total amount
of grant money received by a student under Subsection (a) for each
student who:

(1) fails to perform satisfactorily on the third grade
reading assessment instrument administered under Section
39.023(a);

(2) received and used a grant under Section 28.02111;
and

(3) was enrolled in the district from kindergarten
through third grade.

(d) For a student described by Subsection (c) who is eligible
to participate in a school district's special education program

under Section 29.003, the agency shall reduce the district's entitlement in accordance with Subsection (c) by one-half of the amount determined for the student under that subsection.

(e) Notwithstanding Section 7.057, a determination by the commissioner under this section is final and may not be appealed.

SECTION 5.29. The following provisions of the Education Code are repealed:

- (1) Section 7.058;
- (2) Sections 28.006(c), (c-1), (g), (g-1), (g-2), (i), (j), and (k); and
- (3) Section 28.007.

SECTION 5.30. To the extent of any conflict between the changes made to the Education Code by this article and the changes made to the Education Code by another Act of the 89th Legislature, Regular Session, 2025, the changes made by this article prevail.

SECTION 5.31. (a) Except as provided by Subsection (b) of this section, Sections 12.104, 21.4552, 21.4553, 25.085, 28.006, 29.153, 29.1543, 29.167, 29.934, and 39.333, Education Code, as amended by this article, and Sections 28.0063, 28.0064, 28.0065, and 28.02111, Education Code, as added by this article, apply beginning with the 2025-2026 school year.

(b) Sections 29.153(g), 29.1531, and 48.317, Education Code, as amended by this article, apply beginning with the 2027-2028

school year.

SECTION 5.32. (a) Sections 48.0051 and 48.108, Education Code, as amended by this article, and Sections 48.0052, 48.1081, and 48.122, , Education Code, as added by this article, take effect September 1, 2025. Section 48.317, Education Code, as added by this article takes effect September 1, 2026.

(b) Except as provided by Subsection (a) of this section or as otherwise provided by this article, this article takes effect immediately if this Act receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this article takes effect September 1, 2025.

ARTICLE 6. COLLEGE, CAREER, AND MILITARY READINESS

SECTION 6.01. Section 4.002, Education Code, is amended to read as follows:

Sec. 4.002. PUBLIC EDUCATION ACADEMIC GOALS. To serve as a foundation for a well-balanced and appropriate education:

GOAL 1: The students in the public education system will demonstrate exemplary performance in the reading and writing of the English language.

GOAL 2: The students in the public education system will demonstrate exemplary performance in the understanding of

mathematics.

GOAL 3: The students in the public education system will demonstrate exemplary performance in the understanding of science.

GOAL 4: The students in the public education system will demonstrate exemplary performance in the understanding of social studies.

GOAL 5: The students who graduate high school in the public education system will have the skills and credentials necessary to immediately enter this state's workforce.

GOAL 6: The students who graduate high school in the public education system and who elect to pursue postsecondary education will be ready for postsecondary coursework without the need for remediation.

SECTION 6.02. Subchapter B, Chapter 7, Education Code, is amended by adding Sections 7.0405 and 7.043 to read as follows:

Sec. 7.0405. POSTING OF POSTSECONDARY OUTCOMES. (a) Subject to Subsection (b), the agency shall post on the agency's Internet website the following de-identified data, disaggregated by school district or open-enrollment charter school, high school campus, and annual cohort for the 10 most recent annual cohorts:

(1) for students who graduate from high school:

(A) the number and percentage of students who

enroll in, enroll in remedial postsecondary coursework as part of, persist for at least one year in, or complete a postsecondary degree, certificate, or other credentialing program, disaggregated by program and postsecondary educational institution; and

(B) employment status, occupation, industry, wage, and county of employment and residence, as reported under Section 204.0025, Labor Code; and

(2) for students who did not graduate from high school:

(A) the highest grade level completed;

(B) the number of uncompleted credits required for the student to graduate;

(C) employment status, occupation, industry, wage, and county of employment and residence, as reported under Section 204.0025, Labor Code; and

(D) whether the student has earned a high school equivalency certificate.

(b) The agency shall post the data required under Subsection (a) in a manner that complies with the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g) and may, if necessary to comply with that act, create a private portal for school district board of trustees or open-enrollment charter school governing body members, school administrators, and school counselors at a high school to access data for the member's,

administrator's, or counselor's school district or open-enrollment charter school.

(c) The agency shall ensure the data posted under Subsection (a) is made available to:

(1) school district board of trustees and open-enrollment charter school governing body members and superintendents to assist in adopting college, career, and military readiness plans under Section 11.186; and

(2) school counselors at a high school to assist the counselors in performing the duties under Section 33.007.

Sec. 7.043. STATEWIDE GOAL FOR CAREER READINESS. (a) Using the data posted under Section 7.0405(a), the agency shall create a quantifiable statewide goal for public school students to achieve career readiness, including by attaining a workforce-aligned credential while in high school.

(b) The agency shall update the goal created under Subsection (a) at least once every five years.

SECTION 6.03. Section 11.186, Education Code, is amended by amending Subsections (b) and (c) and adding Subsections (d), (e), and (f) to read as follows:

(b) Each plan adopted under Subsection (a) must:

(1) identify annual goals for students in each group evaluated under the closing the gaps domain under Section

39.053(c)(3);

(2) include an annual goal [~~goals~~] for aggregate student growth on each college, career, and military readiness indicator [~~indicators~~] evaluated under the student achievement domain under Section 39.053(c)(1);

(3) include specific annual goals for student completion of postsecondary credentials, including industry-based credentials, level one or level two certificates as defined by the agency, and associate degrees, while enrolled in high school;

(4) include annual goals for the outcomes of the district's annual graduates at one, three, and five years after graduation from high school, including goals for:

(A) the rate of enrollment at a postsecondary educational institution;

(B) the percentage of graduates who enroll at a postsecondary educational institution and do not require remedial postsecondary coursework;

(C) the rate of persistence at a postsecondary educational institution in each of the first two years of enrollment;

(D) the rate of completion of a postsecondary degree, certificate, or other credentialing program; and

(E) wages earned;

(5) assign at least one district-level administrator or employee of the regional education service center for the district's region to:

(A) coordinate implementation of the plan; and

(B) submit an annual report to the board of trustees, the agency, and the Legislative Budget Board on the district's performance and progress toward the goals set under the plan; and

(6) [~~4~~] be reviewed and approved by majority vote annually by the board of trustees at a public meeting.

(c) In identifying and including goals in each plan adopted under Subsection (a) as provided by Subsection (b), the board of trustees shall use longitudinal student outcomes data posted under Section 7.0405(a) and any other resources available to the board.

(d) A school district shall post the annual report described by Subsection (b)(5)(B) [~~(b)(3)(B)~~] on the district's Internet website and on the Internet website, if any, of each campus in the district not later than two weeks before the date of the public meeting at which the report is reviewed and approved as required by Subsection (b)(6). The district shall update the annual report on each Internet website if any modifications are made to the report by the board of trustees.

(e) The commissioner by rule shall establish a deadline for

the submission of the annual reports described by Subsection (b)(5)(B). The agency shall compile and make publicly accessible on the agency's Internet website the annual reports.

(f) The agency may evaluate the goals identified or included in an annual report described by Subsection (b)(5)(B) to determine whether those goals align with state secondary, postsecondary, and workforce goals.

SECTION 6.04. Section 28.0095, Education Code, is amended by adding Subsection (c-1) to read as follows:

(c-1) Notwithstanding Subsection (c)(1)(A), a student otherwise described by Subsection (c) is eligible to enroll at no cost in a dual credit course under the program if the student has graduated from high school but is:

(1) enrolled in a school district or open-enrollment charter school at a campus designated as a P-TECH school under Section 29.556 or in a school district participating in a partnership under Section 29.912; and

(2) completing a course of study offered through an articulation agreement or memorandum of understanding with an institution of higher education and the district or school described by Subdivision (1), as applicable, under the Pathways in Technology Early College High School (P-TECH) program under Subchapter N, Chapter 29, or the Rural Pathway Excellence

Partnership (R-PEP) program under Section 29.912.

SECTION 6.05. Section 29.182(b), Education Code, is amended to read as follows:

(b) The state plan must include procedures designed to ensure that:

(1) all secondary and postsecondary students have the opportunity to participate in career and technology education programs;

(2) the state complies with requirements for supplemental federal career and technology education funding;

(3) career and technology education is established as a part of the total education system of this state and constitutes an option for student learning that provides a rigorous course of study consistent with the required curriculum under Section 28.002 and under which a student may receive specific education in a career and technology program that:

(A) incorporates competencies leading to academic and technical skill attainment;

(B) leads to:

(i) an industry-recognized license, credential, or certificate; or

(ii) at the postsecondary level, an associate or baccalaureate degree;

(C) includes opportunities for students to earn college credit for coursework; and

(D) includes, as an integral part of the program, participation by students and teachers in activities of career and technical student organizations supported by the agency and the State Board of Education; ~~and~~

(4) a school district provides, to the greatest extent possible, to a student participating in a career and technology education program opportunities to enroll in dual credit courses designed to lead to a degree, license, or certification as part of the program; and

(5) a course of study offered under a Junior Reserve Officers' Training Corps program established under 10 U.S.C. Section 2031 is considered a career and technology education program.

SECTION 6.06. Sections 29.190(a-1), (b), and (c), Education Code, are amended to read as follows:

(a-1) A student may not receive more than two subsidies ~~[one subsidy]~~ under this section.

(b) A teacher is entitled to a subsidy under this section if the teacher passes a certification examination related to career and technology education ~~[cybersecurity]~~.

(c) On approval by the commissioner, the agency shall pay

each school district an amount equal to the cost paid by the district for a certification examination under this section, including any costs paid for associated fingerprinting or criminal history record information review. To obtain reimbursement for a subsidy paid under this section, a district must:

(1) pay the costs described by this subsection ~~[fee for the examination]~~; and

(2) submit to the commissioner a written application on a form prescribed by the commissioner stating the amount of the costs ~~[fee]~~ paid under Subdivision (1) ~~[for the certification examination]~~.

SECTION 6.08. Section 29.912, Education Code, is amended by adding Subsection (c-1) and amending Subsection (j) to read as follows:

(c-1) A school district that has participated in the program may continue to participate in the program regardless of the number of students in average daily attendance in the district for the current school year.

(j) The commissioner shall make grants available for use by a coordinating entity for a two-year period to assist with costs associated with the planning, development, establishment, or expansion, as applicable, of partnerships under the program using ~~[a portion of state funds allocated under Section 48.118 as well~~

as] money appropriated for that purpose, federal funds, and any other funds available. The commissioner may award a grant only to a coordinating entity that has entered into a performance agreement approved under Subsection (i) or, if in the planning stage, has entered into a memorandum of understanding to enter into a performance agreement, unless the source of funds does not permit a grant to the coordinating entity, in which case the grant shall be made to a participating school district acting as fiscal agent. Eligible use of grant funds shall include planning, development, establishment, or expansion of partnerships under the program. The commissioner may use not more than 15 percent of the money allocated for the grants to cover the cost of administering grants awarded under the program and to provide technical assistance and support to partnerships under the program. The total amount of grants awarded under this subsection for a school year may not exceed \$5 million.

SECTION 6.09. Section 33.007, Education Code, is amended by amending Subsection (b) and adding Subsection (d) to read as follows:

(b) During the first school year a student is enrolled in a high school or at the high school level in an open-enrollment charter school, and again during each year of a student's enrollment in high school or at the high school level, a school

counselor shall provide information about postsecondary education to the student and the student's parent or guardian. The information must include information regarding:

(1) the importance of postsecondary education, including career readiness and workforce training opportunities;

(2) the advantages of earning an endorsement and a performance acknowledgment and completing the distinguished level of achievement under the foundation high school program under Section 28.025;

(3) the disadvantages of taking courses to prepare for a high school equivalency examination relative to the benefits of taking courses leading to a high school diploma;

(4) financial aid eligibility;

(5) instruction on how to apply for federal financial aid;

(6) the center for financial aid information established under Section 61.0776;

(7) the automatic admission of certain students to general academic teaching institutions as provided by Section 51.803;

(8) the eligibility and academic performance requirements for the TEXAS Grant as provided by Subchapter M, Chapter 56;

(9) the availability of programs in the district under which a student may earn college credit, including advanced placement programs, dual credit programs, joint high school and college credit programs, and international baccalaureate programs;

(10) the availability of education and training vouchers and tuition and fee waivers to attend an institution of higher education as provided by Section 54.366 for a student who is or was previously in the conservatorship of the Department of Family and Protective Services; ~~[and]~~

(11) the availability of college credit awarded by institutions of higher education to veterans and military servicemembers for military experience, education, and training obtained during military service as described by the informational materials developed under Section 302.0031(h), Labor Code;

(12) opportunities to complete career training and obtain a postsecondary credential while enrolled in high school, whether at the student's campus, another campus in the school district or open-enrollment charter school, or an educational institution that partners with the district or school, including information regarding program costs, program completion rates, and the average wages of students who complete the program; and

(13) the outcomes of graduates from the campus and school district or open-enrollment charter school in which the

student is enrolled, including completion rates and average wages based on postsecondary pathways available to those graduates at the campus, district, or school using data posted under Section 7.0405(a).

(d) The agency shall make available to school counselors an annual online training regarding statewide trends identified in the data posted under Section 7.0405(a). The training must include information to assist school counselors in identifying the postsecondary outcomes for students at the counselor's campus and school district or open-enrollment charter school for purposes of performing the counselor's duties under this section.

SECTION 6.10. The heading to Section 39.0261, Education Code, is amended to read as follows:

Sec. 39.0261. COLLEGE PREPARATION AND CAREER READINESS ASSESSMENTS.

SECTION 6.11. Section 39.0261(a), Education Code, is amended to read as follows:

(a) In addition to the assessment instruments otherwise authorized or required by this subchapter:

(1) each school year and at state cost, a school district may administer to students in the spring of the eighth grade an established, valid, reliable, and nationally norm-referenced preliminary college preparation assessment instrument

for the purpose of diagnosing the academic strengths and deficiencies of students before entrance into high school;

(2) each school year and at state cost, a school district may administer to students in the 10th grade an established, valid, reliable, and nationally norm-referenced preliminary college preparation assessment instrument for the purpose of measuring a student's progress toward readiness for college and the workplace; and

(3) high school students in the spring of the 11th grade or during the 12th grade may select and take once, at state cost:

(A) one of the valid, reliable, and nationally norm-referenced assessment instruments used by colleges and universities as part of their undergraduate admissions processes; ~~[or]~~

(B) the assessment instrument designated by the Texas Higher Education Coordinating Board under Section 51.334; or

(C) a nationally recognized career readiness assessment instrument that measures foundational workforce skills approved by commissioner rule.

SECTION 6.12. Section 39.053, Education Code, is amended by amending Subsections (a), (c), and (f) and adding Subsections (c-4), (f-1), (f-2), (f-3), and (f-4) to read as follows:

(a) The commissioner shall adopt a set of indicators of the

quality of learning and achievement, including the indicators under Subsection (c). The commissioner periodically shall review the indicators for the consideration of appropriate revisions and may, if the commissioner determines an indicator otherwise required under this subchapter is not valid or reliable, exclude the indicator from the set of indicators adopted under this section.

(c) School districts and campuses must be evaluated based on three domains of indicators of achievement adopted under this section that include:

(1) in the student achievement domain, indicators of student achievement that must include:

(A) for evaluating the performance of districts and campuses generally:

(i) an indicator that accounts for the results of assessment instruments required under Sections 39.023(a), (c), and (1), as applicable for the district and campus, including the results of assessment instruments required for graduation retaken by a student, aggregated across grade levels by subject area, including:

(a) for the performance standard determined by the commissioner under Section 39.0241(a), the percentage of students who performed satisfactorily on the

assessment instruments, aggregated across grade levels by subject area; and

(b) for the college readiness performance standard as determined under Section 39.0241, the percentage of students who performed satisfactorily on the assessment instruments, aggregated across grade levels by subject area; and

(ii) an indicator that accounts for the results of assessment instruments required under Section 39.023(b), as applicable for the district and campus, including the percentage of students who performed satisfactorily on the assessment instruments, as determined by the performance standard adopted by the agency, aggregated across grade levels by subject area; and

(B) for evaluating the performance of high school campuses and districts that include high school campuses, indicators that account for:

(i) students who satisfy the Texas Success Initiative (TSI) college readiness benchmarks prescribed by the Texas Higher Education Coordinating Board under Section 51.334 on an assessment instrument in reading or mathematics designated by the coordinating board under that section;

(ii) students who satisfy relevant

performance standards on advanced placement tests or similar assessments;

(iii) students who earn dual course credits in the dual credit courses;

(iv) students who demonstrate military readiness:

(a) through verified enlistment
[~~enlist~~] in the armed forces of the United States or the Texas National Guard; or

(b) by achieving a passing score set by the commissioner on the Armed Services Vocational Aptitude Battery Test and successfully completing a Junior Reserve Officers' Training Corps program established under 10 U.S.C. Section 2031;

(v) students who earn industry certifications;

(vi) students admitted into postsecondary industry certification programs that require as a prerequisite for entrance successful performance at the secondary level;

(vii) students whose successful completion of a course or courses under Section 28.014 indicates the student's preparation to enroll and succeed, without remediation, in an entry-level general education course for a baccalaureate degree or associate degree;

(viii) students who successfully met standards on a composite of indicators that through research indicates the student's preparation to enroll and succeed, without remediation, in an entry-level general education course for a baccalaureate degree or associate degree;

(ix) high school graduation rates, computed in accordance with standards and definitions adopted in compliance with the Every Student Succeeds Act (20 U.S.C. Section 6301 et seq.) subject to the exclusions provided by Subsections (g), (g-1), (g-2), (g-3), and (g-4);

(x) students who successfully completed an OnRamps dual enrollment course;

(xi) students who successfully completed a practicum or internship approved by the State Board of Education;

(xii) students who are awarded an associate degree; and

(xiii) students who successfully completed a program of study in career and technical education;

(2) in the school progress domain, indicators for effectiveness in promoting student learning, which must include:

(A) for assessment instruments, including assessment instruments under Subdivisions (1)(A)(i) and (ii), the percentage of students who met the standard for improvement, as

determined by the commissioner; and

(B) for evaluating relative performance, the performance of districts and campuses compared to similar districts or campuses; and

(3) in the closing the gaps domain, the use of disaggregated data to demonstrate the differentials among students from different racial and ethnic groups and ~~[7]~~ socioeconomic backgrounds ~~[, and other factors, including:~~

~~[(A) students formerly receiving special education services;~~

~~[(B) students continuously enrolled; and~~

~~[(C) students who are mobile].~~

(c-4) The agency shall study the college, career, and military readiness indicators adopted under Subsection (c) to determine the correlation of each indicator with postsecondary success, including the correlation of industry certifications with wages and available jobs. The value assigned to each indicator must be:

(1) based on the strength of the indicator's correlation with successful outcomes; and

(2) updated in accordance with Subsection (f-1).

(f) Annually, the commissioner shall define and may modify the state standards ~~[standard for the current school year]~~ for

each ~~[achievement]~~ indicator adopted under this subchapter in
[section. In] consultation with educators, parents, and business
and industry representatives, as necessary. The [the]
commissioner shall increase the rigor by which the commissioner
determines the overall performance ratings under Section 39.054(a)
[establish and modify standards] to continuously improve student
performance to, not later than the 15th year after the date the
commissioner modifies the performance standards under Subsection
(f-1), achieve the goals of:

(1) eliminating achievement gaps based on race,
ethnicity, and socioeconomic status; and

(2) ensuring [to ensure] this state ranks nationally
[is a national leader] in the top five states in preparing students
for postsecondary success and on the National Assessment of
Educational Progress or its successor assessment.

(f-1) Beginning with the indicators adopted for the 2027-
2028 school year and as required to meet the goals under Subsection
(f), the commissioner shall increase the scores needed to achieve
performance standards on indicators adopted under this subchapter
only every fifth school year unless an indicator adopted under
Subsection (c) requires adjustment before that school year to
ensure consistency of performance standards.

(f-2) To the extent practicable, for each of the two school

years preceding a school year the commissioner increases a score under Subsection (f-1), the commissioner shall report, in a manner that can be reviewed by school administrators, the overall performance of school districts and campuses under that increased score.

(f-3) In reporting the performance of school districts and campuses on indicators adopted under this subchapter for a school year in which the score needed to achieve performance standards on one or more of those indicators was increased under Subsection (f-1), the commissioner shall include in the report an informational report on the performance of districts and campuses during the preceding school year under the increased score.

(f-4) Notwithstanding Subsection (f), the commissioner may define state standards for an indicator adopted under this subchapter for multiple school years provided that the commissioner annually affirms that those standards are applicable to the current school year. The commissioner is not required to adopt the affirmation described by this subsection by rule.

SECTION 6.13. Subchapter C, Chapter 39, Education Code, is amended by adding Section 39.0531 to read as follows:

Sec. 39.0531. INDUSTRY CERTIFICATION LIST. (a) The agency shall maintain a list of industry certifications that are eligible for purposes of Section 39.053(c)(1)(B)(v). In developing the

list, the agency shall consider the inventory of industry-recognized certifications developed under Section 312.003, Labor Code. The certifications must:

(1) be aligned to a program of study that, according to labor market data, prepares students for high-wage, high-skill, in-demand occupations;

(2) allow students to demonstrate mastery of the skills required for occupations within an approved program of study; and

(3) be obtained through an assessment of the knowledge and skills provided by or determined by an independent, third-party certifying entity using predetermined standards for knowledge, skills, and competencies.

(b) The agency shall review the eligibility of industry certifications under Subsection (a), including whether the programs of study for those certifications still meet the requirements under that subsection:

(1) in consultation with the advisory council established under Chapter 312, Labor Code; and

(2) to the extent practicable, concurrently with the modification of performance standards under Section 39.053(f-1).

(c) If, after reviewing an industry certification under Subsection (b), the agency determines the certification is no longer eligible for purposes of Section 39.053(c)(1)(B)(v) and

should be removed from the list maintained under Subsection (a), the agency shall, to the extent practicable, post on the agency's Internet website information regarding the removal of the certification not later than two years before the date the agency intends to remove the certification from the list.

(d) During the three years following an agency's determination under Subsection (c) that an industry certification is no longer eligible for purposes of Section 39.053(c) (1) (B) (v), a school district may receive the benefit of achievement indicators based on that industry certification for purposes of Section 39.053(c) only for a cohort of students who:

(1) were participating in the program of study aligned with that certification during the school year the agency determines the certification is no longer eligible; and

(2) earn the certification within the three-year period.

SECTION 6.14. Section 45.105(c), Education Code, is amended to read as follows:

(c) Local school funds from district taxes, tuition fees of students not entitled to a free education, other local sources, and state funds not designated for a specific purpose may be used for the purposes listed for state and county available funds and for purchasing appliances and supplies, paying insurance premiums,

paying janitors and other employees, buying school sites, buying, building, repairing, and renting school buildings, including acquiring school buildings and sites by leasing through annual payments with an ultimate option to purchase, providing advising support as described by Section 48.0035(1), and educating students as described by Section 48.0035(2), and, except as provided by Subsection (c-1), for other purposes necessary in the conduct of the public schools determined by the board of trustees. The accounts and vouchers for county districts must be approved by the county superintendent. If the state available school fund in any municipality or district is sufficient to maintain the schools in any year for at least eight months and leave a surplus, the surplus may be spent for the purposes listed in this subsection.

SECTION 6.15. Subchapter A, Chapter 48, Education Code, is amended by adding Section 48.0035 to read as follows:

Sec. 48.0035. USE OF FUNDING FOR CERTAIN PURPOSES. A school district may use funding to which the district is entitled under this chapter to:

(1) provide district graduates, during the first two years after high school graduation, advising support toward the successful completion of a certificate or degree program at a public institution of higher education or a postsecondary vocational training program; and

(2) educate a student who has graduated from high school but is enrolled in the district in a program through which the student may earn dual credit, including the Pathways in Technology Early College High School (P-TECH) program under Subchapter N, Chapter 29, and the Rural Pathway Excellence Partnership (R-PEP) program under Section 29.912.

SECTION 6.16. Section 48.106, Education Code, is amended by amending Subsection (a-1) and adding Subsections (a-2) and (a-3) to read as follows:

(a-1) In addition to the amounts under Subsection (a), for each student in average daily attendance enrolled in a campus designated as a P-TECH school under Section 29.556, a district is entitled to \$150 ~~[\$50 for each of the following in which the student is enrolled:~~

~~[(1) a campus designated as a P-TECH school under Section 29.556; or~~

~~[(2) a campus that is a member of the New Tech Network and that focuses on project based learning and work based education].~~

(a-2) A district is entitled to funding under Subsection (a-1) for a student who has graduated from high school but is enrolled in the district in a program offered under Subchapter N, Chapter 29, through which the student may earn dual credit. The district

is not entitled to any other funding under this chapter for a student described by this subsection.

SECTION 6.17. Sections 48.106(b)(1) and (1-a), Education Code, are amended to read as follows:

(1) "Approved career and technology education program":

(A) means:

(i) a sequence of career and technology education courses, including technology applications courses, authorized by the State Board of Education; and

(ii) courses offered under a Junior Reserve Officers' Training Corps program established under 10 U.S.C. Section 2031; and

(B) includes only courses that qualify for high school credit.

(1-a) "Approved program of study" means a course sequence that:

(A) provides students with the knowledge and skills necessary for success in the students' chosen careers, including the military; and

(B) is approved by the agency for purposes of the Strengthening Career and Technical Education for the 21st Century Act (Pub. L. No. 115-224).

SECTION 6.18. Section 48.118, Education Code, is amended by

adding Subsection (a-3) and amending Subsection (f) to read as follows:

(a-3) Notwithstanding Subsection (a), a school district described by Section 29.912(c-1) may receive funding under this section for up to 110 percent of the number of students who qualified under Subsection (a) for the school year immediately preceding the school year in which the district's enrollment first reached 1,600 or more.

(f) The total amount of state funding for allotments and outcomes bonuses under this section may not exceed \$20 [~~\$5~~] million per year. If the total amount of allotments and outcomes bonuses to which school districts are entitled under this section exceeds the amount permitted under this subsection, the agency shall allocate state funding to districts under this section in the following order:

(1) ~~[allotments under Subsection (a) for which school districts participating in partnerships prioritized under Section 29.912(h) are eligible;~~

[~~(2)~~] allotments under Subsection (a) for which school districts that entered into a memorandum of understanding or letter of commitment regarding a multidistrict pathway partnership, as defined by commissioner rule, before May 1, 2023, are eligible;

(2) [~~(3)~~] allotments under Subsection (a) for which

school districts that have entered into a performance agreement under Section 29.912 with a coordinating entity that is an institution of higher education, as defined by Section 61.003, are eligible;

(3) [~~(4)~~] allotments under Subsection (a) for which school districts with the highest percentage of students who are educationally disadvantaged, in descending order, are eligible; and

(4) [~~(5)~~] outcomes bonuses under Subsection (c) for which school districts with the highest percentage of students who are educationally disadvantaged, in descending order, are eligible.

SECTION 6.19. Section 48.152(a)(2), Education Code, is amended to read as follows:

(2) "New instructional facility" includes:

(A) a newly constructed instructional facility;

(B) a repurposed instructional facility; [~~and~~]

(C) a leased facility operating for the first time as an instructional facility with a minimum lease term of not less than 10 years; and

(D) a renovated portion of an instructional facility to be used for the first time to provide high-cost and undersubscribed career and technology education programs, as

determined by the commissioner.

SECTION 6.20. Section 48.152(f), Education Code, is amended to read as follows:

(f) The amount appropriated for allotments under this section may not exceed \$150 [~~\$100~~] million in a school year. If the total amount of allotments to which districts are entitled under this section for a school year exceeds the amount appropriated under this subsection, the commissioner:

(1) shall reduce each district's allotment under this section in the manner provided by Section 48.266(f); and

(2) for new instructional facilities described by Subsection (a)(2)(D), may remove a career and technology education program from the list of programs that qualify under that subsection.

SECTION 6.21. The heading to Section 48.155, Education Code, is amended to read as follows:

Sec. 48.155. COLLEGE PREPARATION AND CAREER READINESS ASSESSMENT REIMBURSEMENT.

SECTION 6.22. Section 48.156, Education Code, is amended to read as follows:

Sec. 48.156. CERTIFICATION EXAMINATION REIMBURSEMENT. (a)
A school district is entitled to reimbursement for the amount of a subsidy paid by the district for not more than two [~~a student's~~]

certification examinations per student ~~[examination]~~ under Section 29.190(a), including costs paid for associated fingerprinting or criminal history record information review, as provided by Section 29.190(c).

(b) Notwithstanding Subsection (a), the total amount that may be used for reimbursement under that subsection for a school year may not exceed \$20 million, of which not more than \$500,000 may be used to reimburse the costs of fingerprinting or criminal history record information review. If the total amount to which school districts are entitled under Subsection (a) exceeds the amount permitted under this subsection, the commissioner shall proportionately reduce each school district's entitlement under this section.

SECTION 6.23. (a) This section takes effect only if S.B. 1786, 89th Legislature, Regular Session, 2025, becomes law.

(b) Section 204.0025, Labor Code, is amended to read as follows:

Sec. 204.0025. ADDITIONAL WORKFORCE DATA REPORTING. The commission shall ~~[It is the intent of the legislature that the commission, subject to the availability of federal funding or other resources for the purpose,]~~ work with employers to enhance the reporting of employment and earnings data by employers to the commission as part of an employer's routine wage filings under

this subtitle or commission rule and consistent with federal law and regulations. The enhanced wage filings must include information related to wage, industry, occupational field, full-time and part-time status, county of primary employment, remote work status, [occupation] and other important employment information necessary to conduct the assessment required under Section 302.0205 ~~[that would improve the state's labor market information]~~.

SECTION 6.24. (a) This section takes effect only if S.B. 1786, 89th Legislature, Regular Session, 2025, does not become law.

(b) Section 204.0025, Labor Code, is amended to read as follows:

Sec. 204.0025. ADDITIONAL WORKFORCE DATA REPORTING. The commission shall ~~[It is the intent of the legislature that the commission, subject to the availability of federal funding or other resources for the purpose,]~~ work with employers to enhance the reporting of employment and earnings data by employers to the commission as part of an employer's routine wage filings under this subtitle or commission rule and consistent with federal law and regulations. The enhanced wage filings must include information related to wage, industry, occupational field, full-time and part-time status, county of primary employment, remote

work status, ~~[occupation]~~ and other important employment information that would improve the state's labor market information.

SECTION 6.25. The heading to Section 312.003, Labor Code, is amended to read as follows:

Sec. 312.003. INVENTORY OF CERTIFICATIONS ~~[CREDENTIALS AND CERTIFICATES]~~.

SECTION 6.26. Sections 312.003(a), (b), (c), and (d), Labor Code, are amended to read as follows:

(a) The advisory council shall develop an inventory of industry-recognized certifications ~~[credentials and certificates]~~ that may be earned by a public high school student through a career and technology education program and that:

(1) are aligned to state and regional workforce needs;
~~[and]~~

(2) serve as an entry point to middle- and high-wage jobs; and

(3) meet the requirements of Section 39.0531(a), Education Code.

(b) The inventory must include for each certification ~~[credential or certificate]~~:

- (1) the associated career cluster;
- (2) the awarding entity;

(3) the level of education required and any additional requirements for the certification [~~credential or certificate~~];

(4) any fees for obtaining the certification [~~credential or certificate~~]; and

(5) the average wage or salary for jobs that require or prefer the certification [~~credential or certificate~~].

(c) In developing the inventory, the advisory council may consult with local workforce boards, the Texas Workforce Investment Council, the Texas Economic Development and Tourism Office, the Texas Education Agency, and the Texas Higher Education Coordinating Board.

(d) The advisory council shall establish a process for developing the inventory, including the criteria for the inclusion of a certification [~~credential or certificate~~] in the inventory.

SECTION 6.27. Section 29.912(h), Education Code, is repealed.

SECTION 6.28. The Texas Education Agency shall first update the statewide goal for career readiness created under Section 7.043(a), Education Code, as added by this article, in accordance with Subsection (b) of that section not later than the 2028-2029 school year.

SECTION 6.29. Sections 28.0095(c-1) and 29.9016, Education Code, as added by this article, and Sections 29.190, 29.912,

33.007(b), and 39.0261(a), Education Code, as amended by this article, apply beginning with the 2025-2026 school year.

SECTION 6.30. To the extent of any conflict between the changes made to the Education Code by this article and the changes made to the Education Code by another Act of the 89th Legislature, Regular Session, 2025, the changes made by this article prevail.

SECTION 6.31. The changes in law made by Section 39.053, Education Code, as amended by this article, and Section 39.0531, Education Code, as added by this article, apply to accountability ratings beginning with the 2027-2028 school year.

SECTION 6.32. (a) Except as provided by Subsection (b) of this section and as otherwise provided by this article, this article takes effect immediately if this Act receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this article takes effect September 1, 2025.

(b) The amendments by this article to Chapter 48, Education Code, take effect September 1, 2025.

ARTICLE 7. CHANGES RELATED TO PUBLIC EDUCATION AND PUBLIC

SCHOOL FINANCE

SECTION 7.01. Subchapter C, Chapter 7, Education Code, is amended by adding Section 7.0611 to read as follows:

Sec. 7.0611. FACILITY USAGE REPORT. (a) In this section, "instructional facility" has the meaning assigned by Section 46.001.

(b) The agency by rule shall require each school district to annually report the following information in the form and manner prescribed by the agency:

(1) the square footage of each school district facility and the acreage of land on which each facility sits;

(2) the total student capacity for each instructional facility on a district campus;

(3) for each campus in the school district:

(A) the enrollment capacity of the campus and of each grade level offered at the campus; and

(B) the number of students currently enrolled at the campus and in each grade level offered at the campus;

(4) whether a school district facility is used by one or more campuses and the campus identifier of each campus that uses the facility;

(5) what each school district facility is used for, including:

(A) an instructional facility;

(B) a career and technology center;

(C) an administrative building;

(D) a food service facility;

(E) a transportation facility; and

(F) vacant land; and

(6) whether each school district facility is leased or owned.

(c) From the information submitted under Subsection (b), the agency shall produce and make available to the public on the agency's Internet website an annual report on school district land and facilities. The agency may combine the report required under this section with any other required report to avoid multiplicity of reports.

(d) If the agency determines information provided under Subsection (b) would create a security risk, such information is considered confidential for purposes of Chapter 552, Government Code, and may not be disclosed in the annual report under Subsection (c).

(e) The commissioner may adopt rules as necessary to implement this section. In adopting rules for determining the student capacity of a school district or district campus, the commissioner may consider the staffing, student-teacher ratio, and facility capacity of the district or campus.

SECTION 7.02. Section 12.106, Education Code, is amended by amending Subsections (a), (a-2), (d), (e), and (f) and adding

Subsections (e-1), (e-2), and (f-1) to read as follows:

(a) A charter holder is entitled to receive for the open-enrollment charter school funding under Chapter 48 equal to the amount of funding per student in weighted average daily attendance to which the charter holder would be entitled for the school under that chapter if the school were a school district without a tier one local share for purposes of Section 48.266, excluding:

(1) the adjustment under Section 48.052;

(2) ~~[7]~~ the funding under Sections 48.101 and ~~[7~~ 48.110,~~]~~ 48.111; ~~[, and 48.112,]~~ and

(3) enrichment funding under Section 48.202(a) ~~[, to which the charter holder would be entitled for the school under Chapter 48 if the school were a school district without a tier one local share for purposes of Section 48.266].~~

(a-2) In addition to the funding provided by Subsection (a), a charter holder is entitled to receive for the open-enrollment charter school an allotment per student in average daily attendance in an amount equal to the difference between:

(1) the product of:

(A) the quotient of:

(i) the total amount of funding provided to eligible school districts under Section 48.101(b) or (c); and

(ii) the total number of students in average

daily attendance in school districts that receive an allotment under Section 48.101(b) or (c); and

(B) the sum of one and the quotient of:

(i) the total number of students in average daily attendance in school districts that receive an allotment under Section 48.101(b) or (c); and

(ii) the total number of students in average daily attendance in school districts statewide; and

(2) \$300 [~~\$125~~].

(d) Subject to Subsections [~~Subsection~~] (e) and (e-2), in addition to other amounts provided by this section, a charter holder is entitled to receive, for the open-enrollment charter school, an annual allotment [~~funding~~] per student in average daily attendance [~~in an amount~~] equal to [~~the guaranteed level of state and local funds per student per cent of tax effort under Section 46.032(a) multiplied by~~] the lesser of:

(1) the state average interest and sinking fund tax rate imposed by school districts for the current year multiplied by the guaranteed level of state and local funds per student per cent of tax effort under Section 46.032(a); or

(2) the maximum amount of the basic allotment provided under Section 48.051 for the applicable school year multiplied by 0.06 [~~a rate that would result in a total amount to which charter~~

~~schools are entitled under this subsection for the current year equal to \$60 million].~~

(e) Subject to Subsection (e-1), a [A] charter holder is not entitled to receive funding under Subsection (d) for an open-enrollment charter school [only] if the school has been assigned:

(1) an unacceptable [most recent overall] performance rating [assigned to the open-enrollment charter school] under Subchapter C, Chapter 39, for the two preceding school years;

(2) a financial accountability performance rating under Subchapter D, Chapter 39, indicating a financial performance lower than satisfactory for the two preceding school years; or

(3) any combination of the ratings described by Subdivisions (1) and (2) for the two preceding school years [reflects at least acceptable performance].

(e-1) Subsection (e) [This subsection] does not apply to a charter holder:

(1) during the first two years of the applicable open-enrollment charter school's operation; or

(2) that operates a school program located at a day treatment facility, residential treatment facility, psychiatric hospital, or medical hospital.

(e-2) A charter holder is entitled to receive funding under Subsection (d) for an open-enrollment charter school only if the

governing body of the school annually certifies in writing to the agency that none of the following derives any financial benefit from a real estate transaction with the school:

(1) an administrator, officer, or employee of the school;

(2) a member of the governing body of the school or its charter holder; or

(3) a person related within the third degree by consanguinity or second degree by affinity, as determined under Chapter 573, Government Code, to a person described by Subdivision (1) or (2).

(f) Funds received by a charter holder under Subsection (d):

(1) notwithstanding any other law, may not be used to pay a salary, bonus, stipend, or any other form of compensation to a school superintendent or administrator serving as educational leader and chief executive officer of the school; and

(2) may only be used:

(A) [~~+1~~] to lease an instructional facility;

(B) [~~+2~~] to pay property taxes imposed on an instructional facility;

(C) [~~+3~~] to pay debt service on bonds issued for a purpose for which a school district is authorized to issue bonds under Section 45.001(a)(1) or to pay for a purchase for which a

school district is authorized to issue bonds under that section
[to finance an instructional facility]; or

(D) [(+4)] for any other purpose related to the
purchase, lease, sale, acquisition, or maintenance of an
instructional facility.

(f-1) The governing body of an open-enrollment charter
school must comply with Chapter 551, Government Code, when
considering the issuance of bonds.

SECTION 7.03. Section 29.054, Education Code, is amended by
adding Subsection (e) to read as follows:

(e) Notwithstanding Section 29.066(c), the agency may
require, for purposes of implementing Section 48.105, a school
district that is granted an exception under this section to:

(1) include in the district's Public Education
Information Management System (PEIMS) report additional
information specified by the agency and relating to the alternative
language education methods used by the district; and

(2) classify the alternative language education methods
used by the district under the Public Education Information
Management System (PEIMS) report as specified by the agency.

SECTION 7.04. Subchapter Z, Chapter 29, Education Code, is
amended by adding Section 29.940 to read as follows:

Sec. 29.940. FEDERAL GRANT ADMINISTRATION. For a federal

grant program under which the agency oversees and administers services to nonpublic schools, the agency shall follow federal disposition rules and procedures to dispose of equipment or supplies that are unused or no longer needed and were previously allocated to nonpublic schools participating in the grant program.

SECTION 7.05. Subchapter A, Chapter 48, Education Code, is amended by adding Section 48.011 to read as follows:

Sec. 48.011. COMMISSIONER AUTHORITY TO RESOLVE UNINTENDED CONSEQUENCES. (a) Subject to Subsection (b), the commissioner may, as necessary to implement changes made by the legislature to public school finance, including under this chapter or Chapter 45, 46, or 49, and school district ad valorem taxes:

(1) adjust a school district's entitlement if the funding formulas used to determine the district's entitlement result in an unanticipated loss, gain, or other result for a school district; and

(2) modify rates relating to the adoption of a school district's maintenance and operations tax rate and, if applicable, an election required for the district to adopt that tax rate.

(b) Before making an adjustment under Subsection (a), the commissioner shall notify and must receive approval from the Legislative Budget Board and the office of the governor.

(c) If the commissioner makes an adjustment under Subsection

(a), the commissioner must provide to the legislature an explanation regarding the changes necessary to resolve the unintended consequences.

(d) This section expires September 1, 2027.

SECTION 7.06. Subchapter A, Chapter 48, Education Code, is amended by adding Section 48.014 to read as follows:

Sec. 48.014. NOTICE FOR SCHOOL DISTRICTS REGARDING RECOURSE FOR INVALID PROPERTY VALUES. (a) This section applies only to a school district located in an appraisal district in which the comptroller has certified the preliminary findings of the school district property value study under Section 403.302(g), Government Code, and determined that a school district located in the appraisal district has an invalid local value, regardless of whether the district meets the definition of an eligible school district under Section 403.3011, Government Code.

(b) For each school district to which this section applies and as soon as practicable after the comptroller has certified the preliminary findings of the school district property value study under Section 403.302(g), Government Code, the commissioner shall provide notice to the board of trustees of the district that includes information regarding the impact or possible impact of a final certification of an invalid local value on the district's finances, including:

(1) an estimate of the effect on the district's finances; and

(2) any right of recourse available to the district.

(c) Each school district shall annually report to the agency contact information for the members of the district's board of trustees for purposes of receiving the notice under this section.

(d) The commissioner shall coordinate with the comptroller to provide copies of the notice under this section to the board of directors of each applicable appraisal district.

SECTION 7.07. Section 48.051(a), Education Code, is amended to read as follows:

(a) For each student in average daily attendance, not including the time students spend each day in career and technology education programs or in special education programs in a setting ~~[an instructional arrangement]~~ other than a general education setting ~~[mainstream or career and technology education programs]~~, for which an additional allotment is made under Subchapter C, a school district is entitled to an allotment equal to the lesser of the amounts that result from the following formulas:

(1) $A = \$6,160 + \text{GYIA}$; or ~~[the amount that results from the following formula:]~~

(2) $A = (\$6,160 + \text{GYIA}) \times \text{TR/MCR}$

where:

"A" is the allotment to which a district is entitled;

"GYIA" is the guaranteed yield increment adjustment determined under Section 48.2561;

"TR" is the district's tier one maintenance and operations tax rate, as provided by Section 45.0032; and

"MCR" is the district's maximum compressed tax rate, as determined under Section 48.2551.

SECTION 7.08. Section 48.101, Education Code, is amended to read as follows:

Sec. 48.101. SMALL AND MID-SIZED DISTRICT ALLOTMENT. (a) Small and mid-sized districts are entitled to an annual allotment in accordance with this section. In this section:

(1) "AA" is the district's annual allotment per student in average daily attendance;

(2) "ADA" is the number of students in average daily attendance for which the district is entitled to an allotment under Section 48.051, other than students in average daily attendance who do not reside in the district and are enrolled in a full-time virtual program; and

(3) "BA" is the basic allotment determined under Section 48.051.

(b) A school district that has fewer than 1,600 students in average daily attendance is entitled to an annual allotment for

each student in average daily attendance based on the following formula:

$$AA = ((1,600 - ADA) \times \underline{.00046} [\text{~~-.0004~~}) \times BA$$

(c) A school district that offers a kindergarten through grade 12 program and has less than 5,000 students in average daily attendance is entitled to an annual allotment for each student in average daily attendance based on the formula, of the following formulas, that results in the greatest annual allotment:

(1) the formula in Subsection (b), if the district is eligible for that formula; or

$$(2) AA = ((5,000 - ADA) \times \underline{.00003} [\text{~~-.000025~~}) \times BA.$$

(d) Instead of the allotment under Subsection (b) or (c)(1), a school district that has fewer than 300 students in average daily attendance and is the only school district located in and operating in a county is entitled to an annual allotment for each student in average daily attendance based on the following formula:

$$AA = ((1,600 - ADA) \times \underline{.0005} [\text{~~-.00047~~}) \times BA$$

SECTION 7.09. Section 48.105, Education Code, is amended by adding Subsections (a-1) and (a-2) and amending Subsection (b) to read as follows:

(a-1) The agency shall review school districts that offer alternative language education methods approved by the agency under Section 29.054(d) and approve districts to receive the

allotment under Subsection (a-2) for that biennium in a manner that provides not more than \$10 million total under the allotment to school districts in each biennium. In approving school districts to receive the allotment under this subsection, the agency shall, to the extent possible, approve eligible school districts from a cross-section of this state.

(a-2) For each student in average daily attendance in an alternative language education method approved by the agency under Section 29.054(d), and offered by a school district approved to receive the allotment under Subsection (a-1), the district is entitled to an annual allotment equal to the basic allotment multiplied by:

(1) 0.15 for an emergent bilingual student, as defined by Section 29.052, if the student is in an alternative language education method using a dual language immersion/one-way or two-way program model; and

(2) 0.05 for a student not described by Subdivision (1), if the student is in an alternative language education method using a dual language immersion/one-way or two-way program model.

(b) At least 55 percent of the funds allocated under this section must be used in providing bilingual education or special language programs under Subchapter B, Chapter 29. A district's bilingual education or special language allocation may be used

only for program and student evaluation, instructional materials and equipment, staff development, supplemental staff expenses, teacher salaries [~~salary supplements for teachers~~], incremental costs associated with providing smaller class sizes, and other supplies required for quality instruction.

SECTION 7.10. Section 48.115(a), Education Code, is amended to read as follows:

(a) Except as provided by Subsection (a-1), a school district is entitled to an annual allotment equal to the sum of the following amounts or a greater amount provided by appropriation:

(1) \$20 [~~\$10~~] for each student in average daily attendance, plus \$1 for each student in average daily attendance per every \$50 by which the district's maximum basic allotment under Section 48.051 exceeds \$6,160, prorated as necessary; and

(2) \$ 33,500 [~~\$15,000~~] per campus.

SECTION . Subchapter D, Chapter 48, Education Code, is amended by adding Section 48.158 to read as follows:

Sec. 48.158. ALLOTMENT FOR BASIC COSTS. (a) A school district is entitled to an annual allotment equal to \$105 per student enrolled in the district.

(b) Funding under this section may be used by a district to pay for the following:

- (1) transportation;
- (2) fees related to rehiring retired teachers;
- (3) insurance, payroll taxes, and employee benefits;
- (4) contributions and other costs under Subchapter E, Chapter 825, Government Code; and
- (5) utilities.

SECTION 7.11. Section 48.202, Education Code, is amended by amending Subsection (a-1) and adding Subsection (e-2) to read as follows:

(a-1) For purposes of Subsection (a), the dollar amount guaranteed level of state and local funds per weighted student per cent of tax effort ("GL") for a school district is:

(1) ~~[the greater of the amount of district tax revenue per weighted student per cent of tax effort available to a school district at the 96th percentile of wealth per weighted student or]~~ the amount that results from multiplying the maximum amount of the basic allotment provided under Section 48.051 for the applicable school year ~~[6,160, or the greater amount provided under Section 48.051(b), if applicable,]~~ by 0.02084 ~~[0.016]~~, for the first eight cents by which the district's maintenance and operations tax rate exceeds the district's tier one tax rate; and

(2) ~~[subject to Subsection (f),]~~ the amount that results from multiplying the maximum amount of the basic allotment

provided under Section 48.051 for the applicable school year
[\$6,160, or the greater amount provided under Section 48.051(b),
if applicable,] by 0.008, for the district's maintenance and
operations tax effort that exceeds the amount of tax effort
described by Subdivision (1).

(e-2) For purposes of this section, the total amount of
maintenance and operations taxes collected by a school district
not required to reduce its local revenue level under Section 48.257
includes the amount of tax revenue received from a county-wide
equalization tax.

SECTION 7.12. Subchapter F, Chapter 48, Education Code, is
amended by adding Section 48.2561 to read as follows:

Sec. 48.2561. GUARANTEED YIELD INCREMENT ADJUSTMENT. (a)
Not later than October 1 of each even-numbered year, for the
subsequent state fiscal biennium, the agency shall determine the
amount of the guaranteed yield increment adjustment for each state
fiscal year of the biennium. The amount of the guaranteed yield
increment adjustment is the difference between:

(1) the estimated cost to the state of maintaining the
guaranteed level of state and local funds per weighted student per
cent of tax effort under Section 48.202(a-1)(1) at the 96th
percentile of wealth per weighted student for each year of the
biennium; and

(2) the state cost of maintaining the guaranteed level of state and local funds per weighted student per cent of tax effort at the amount provided by Section 48.202(a-1)(1).

(b) Notwithstanding Subsection (a), the amount of the guaranteed yield increment adjustment for each state fiscal year of the state fiscal biennium beginning September 1, 2025, is \$55. This subsection expires September 1, 2027.

SECTION 7.13. Section 48.266, Education Code, is amended by amending Subsection (b) and adding Subsection (b-1) to read as follows:

(b) Except as provided by this subsection and subject to Subsection (b-1), the commissioner shall base the determinations under Subsection (a) on the estimates provided to the legislature under Section 48.269, or, if the General Appropriations Act provides estimates for that purpose, on the estimates provided under that Act, for each school district for each school year. The commissioner shall reduce the entitlement of each district that has a final taxable value of property for the second year of a state fiscal biennium that is higher than the estimate under Section 48.269 or the General Appropriations Act, as applicable. A reduction under this subsection may not reduce the district's entitlement below the amount to which it is entitled at its actual taxable value of property.

(b-1) Periodically throughout the school year, the commissioner shall adjust the determinations made under Subsection (a) to reflect current school year estimates of a district's enrollment and average daily attendance, based on attendance reporting for each six-week interval.

SECTION 7.14. Section 48.283, Education Code, is amended to read as follows:

Sec. 48.283. ADDITIONAL STATE AID FOR CERTAIN DISTRICTS IMPACTED BY COMPRESSION. A school district that received an adjustment under Section 48.257(b) as that subsection existed on September 1, 2024, for the 2022-2023 school year is entitled to additional state aid [~~for each school year~~] in an amount equal to [~~the amount of that adjustment for the 2022-2023 school year less~~] the difference, if the difference is greater than zero, between:

(1) [~~the amount to which the district is entitled under this chapter for the current school year; and~~

[~~(2)~~] the amount of state and local revenue that would have been available to [which] the district [would be entitled] under this chapter and Chapter 49 for the current school year if the district's maximum compressed tax rate had not been reduced under Section 48.2555, as added by S.B. 2, Acts of the 88th Legislature, 2nd Called Session, 2023; and

(2) the amount of state and local revenue available to

the district under this chapter and Chapter 49 for the current school year.

SECTION 7.15. Subchapter F, Chapter 48, Education Code, is amended by adding Section 48.284 to read as follows:

Sec. 48.284. ADDITIONAL STATE AID FOR REGIONAL INSURANCE COST DIFFERENTIALS. (a) In this section, "catastrophe area" and "first tier coastal county" have the meanings assigned by Section 2210.003, Insurance Code.

(b) This section applies to a school district or open-enrollment charter school that has the following property located in a first tier coastal county or an area designated in 2024 as a catastrophe area:

(1) the central administrative office of the district or school; and

(2) a majority of campuses of the district or school.

(c) A school district or open-enrollment charter school to which this section applies is entitled to additional state aid for each student in adjusted average daily attendance in an amount equal to eighty percent of the difference between, for the 2023-2024 school year, or a different school year specified by appropriation:

(1) the total amount paid for property and casualty insurance by districts and schools in the county or catastrophe

area described by Subsection (b) in which the district's or school's property is located divided by the total number of students in average daily attendance for all districts and schools in the county or catastrophe area; and

(2) the total amount paid for property and casualty insurance by districts and schools in the state divided by the total number of students in average daily attendance in the state.

(d) For purposes of Subsection (c), the average daily attendance of a school district that qualifies for, or an open-enrollment charter school that if the school were a school district would qualify for, an allotment under Section 48.101 is the district's or school's average daily attendance multiplied by the sum of one and:

(1) for a school district, the district's annual allotment per student in average daily attendance under that section divided by the basic allotment; or

(2) for an open-enrollment charter school, the school's allotment determined per student in average daily attendance under Section 12.106(a-2) divided by the basic allotment.

SECTION 7.16. Section 26.08(n), Tax Code, is amended to read as follows:

(n) For purposes of this section, the voter-approval tax rate of a school district is the sum of the following:

(1) the rate per \$100 of taxable value that is equal to the district's maximum compressed tax rate, as determined under Section 48.2551, Education Code, for the current year;

(2) the greater of:

(A) the district's enrichment tax rate for the preceding tax year [~~, less any amount by which the district is required to reduce the district's enrichment tax rate under Section 48.202(f), Education Code, in the current tax year~~]; or

(B) the rate of \$0.05 per \$100 of taxable value;
and

(3) the district's current debt rate.

SECTION 7.17. The following provisions of the Education Code are repealed:

(1) Sections 48.104(j-1), (k), ~~(l)~~, (m), (n), and (o);
and

(2) Section 48.202(f).

SECTION 7.18. To the extent of any conflict between the changes made to the Education Code by this article and the changes made to the Education Code by another Act of the 89th Legislature, Regular Session, 2025, the changes made by this article prevail.

SECTION 7.19. This article takes effect September 1, 2025.