

By: Buckley

H.B. No. 2

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. CHANGES RELATED TO PUBLIC EDUCATION AND PUBLIC SCHOOL
FINANCE

SECTION 1.01. Section 12.106, Education Code, is amended by amending Subsections (a), (a-2), (d), (e), and (f) and adding Subsection (e-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) ~~the~~ funding under Sections 48.101 and ~~the~~ 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

1 charter school an allotment per student in average daily attendance
2 in an amount equal to the difference between:

3 (1) the product of:

4 (A) the quotient of:

5 (i) the total amount of funding provided to
6 eligible school districts under Section 48.101(b) or (c); and

7 (ii) the total number of students in
8 average daily attendance in school districts that receive an
9 allotment under Section 48.101(b) or (c); and

10 (B) the sum of one and the quotient of:

11 (i) the total number of students in average
12 daily attendance in school districts that receive an allotment
13 under Section 48.101(b) or (c); and

14 (ii) the total number of students in
15 average daily attendance in school districts statewide; and

16 (2) \$700 [~~\$125~~].

17 (d) Subject to Subsections [~~Subsection~~] (e) and (e-1), in
18 addition to other amounts provided by this section, a charter
19 holder is entitled to receive, for the open-enrollment charter
20 school, an annual allotment [~~funding~~] per student in average daily
21 attendance in an amount equal to the basic allotment provided under
22 Section 48.051 for the applicable school year [~~guaranteed level of~~
23 ~~state and local funds per student per cent of tax effort under~~
24 ~~Section 46.032(a)~~] multiplied by 0.07 [~~the lesser of:~~

25 [~~(1) the state average interest and sinking fund tax~~
26 ~~rate imposed by school districts for the current year, or~~

27 [~~(2) a rate that would result in a total amount to~~

1 ~~which charter schools are entitled under this subsection for the~~
2 ~~current year equal to \$60 million].~~

3 (e) A charter holder is entitled to receive funding under
4 Subsection (d) for an open-enrollment charter school only if:

5 (1) the most recent overall performance ratings
6 ~~[rating]~~ assigned to the open-enrollment charter school under
7 Subchapters [Subchapter] C and D, Chapter 39, reflect [reflects] at
8 least acceptable performance;

9 (2) for an open-enrollment charter school that has not
10 been assigned performance ratings under both Subchapters C and D,
11 Chapter 39, the most recent overall performance rating assigned to
12 the school under either of those subchapters reflects at least
13 acceptable performance; or

14 (3) the ~~[. This subsection does not apply to a]~~ charter
15 holder ~~[that]~~ operates a school program located at a day treatment
16 facility, residential treatment facility, psychiatric hospital, or
17 medical hospital.

18 (e-1) A charter holder is entitled to receive funding under
19 Subsection (d) for an open-enrollment charter school only if the
20 governing body of the school annually certifies in writing to the
21 agency that no administrator, officer, or employee of the school
22 and no member of the governing body of the school or its charter
23 holder derives any personal financial benefit from a real estate
24 transaction with the school.

25 (f) Funds received by a charter holder under Subsection (d)
26 may only be used:

27 (1) to lease an instructional facility;

1 (2) to pay property taxes imposed on an instructional
2 facility;

3 (3) to pay debt service on bonds issued for a purpose
4 for which a school district is authorized to issue bonds under
5 Section 45.001(a)(1) or to pay for a purchase for which a school
6 district is authorized to issue bonds under that section [~~to~~
7 ~~finance an instructional facility~~]; or

8 (4) for any other purpose related to the purchase,
9 lease, sale, acquisition, or maintenance of an instructional
10 facility.

11 SECTION 1.02. Section 12.156(a), Education Code, is amended
12 to read as follows:

13 (a) Except as otherwise provided by this subchapter,
14 Subchapter D, including Section 12.106(d), applies to a college or
15 university charter school or junior college charter school as
16 though the college or university charter school or junior college
17 charter school, as applicable, were granted a charter under that
18 subchapter.

19 SECTION 1.03. Section 21.3521, Education Code, is amended
20 by amending Subsections (a), (c), and (e) and adding Subsections
21 (d-1), (d-2), and (d-3) to read as follows:

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

27 (c) Notwithstanding performance standards established

1 under Subsection (b), a classroom teacher that holds a National
2 Board Certification issued by the National Board for Professional
3 Teaching Standards may be designated as nationally board certified
4 [~~recognized~~].

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

11 (1) for principals and assistant principals,
12 implement:

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

15 (B) a compensation system based on performance;

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

21 (3) implement for all instructional staff a
22 compensation plan based on performance that:

23 (A) uses a salary schedule that is based on
24 differentiation among instructional staff appraisals as permitted
25 under this section; and

26 (B) does not include across-the-board salary
27 increases for instructional staff except for periodic changes to

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

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

6 (d-2) The commissioner may remove a school district's or
7 open-enrollment charter school's designation under Subsection
8 (d-1) if the commissioner determines the district or school no
9 longer meets the criteria for the designation.

10 (d-3) Not later than September 1 of each year, the
11 commissioner shall post on the agency's Internet website a list of
12 the school districts and open-enrollment charter schools
13 designated as enhanced teacher incentive allotment schools under
14 Subsection (d-1).

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

19 (1) providing assistance in prioritizing high needs
20 campuses;

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

24 (3) establishing partnerships between districts and
25 schools that request assistance and districts and schools that have
26 implemented a teacher designation system;

27 (4) applying the performance and validity standards

1 established by the commissioner under Subsection (b);

2 (5) providing centralized support for the analysis of
3 the results of assessment instruments administered to district or
4 school students; and

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

7 SECTION 1.04. Subchapter H, Chapter 21, Education Code, is
8 amended by adding Section 21.3522 to read as follows:

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

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

15 (2) increase the number of classroom teachers eligible
16 for a designation under that section; and

17 (3) increase the salaries paid to classroom teachers
18 employed by school districts or open-enrollment charter schools
19 that have established or are seeking to establish a designation
20 system under that section.

21 (b) A grant awarded under this section must:

22 (1) meet the needs of individual school districts or
23 open-enrollment charter schools; and

24 (2) enable regional leadership capacity.

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

27 SECTION 1.05. Subchapter C, Chapter 25, Education Code, is

1 amended by adding Section 25.0816 to read as follows:

2 Sec. 25.0816. ADDITIONAL DAYS SCHOOL YEAR PLANNING GRANT
3 PROGRAM. (a) From money appropriated or otherwise available for
4 the purpose, the agency shall establish and administer a grant
5 program to provide funding and technical assistance to school
6 districts and open-enrollment charter schools to plan the school
7 year and adjust operations as necessary to qualify for the
8 incentive funding under Section 48.0051.

9 (b) In awarding grants under the program, the agency shall
10 prioritize school districts and open-enrollment charter schools
11 that seek to maximize incentive funding under Section 48.0051.

12 (c) The agency may solicit and accept gifts, grants, and
13 donations for purposes of this section.

14 SECTION 1.06. Section 28.0211(a-1), Education Code, is
15 amended to read as follows:

16 (a-1) Each time a student fails to perform satisfactorily on
17 an assessment instrument administered under Section 39.023(a) or
18 (1) in the third, fourth, fifth, sixth, seventh, or eighth grade or
19 an end-of-course assessment instrument administered under Section
20 39.023(c), other than an assessment instrument developed or adopted
21 based on alternative academic achievement standards, the school
22 district in which the student attends school shall provide to the
23 student accelerated instruction in the applicable subject area
24 during the subsequent summer or school year and, subject to
25 Subsections (a-7) and (a-8), either:

26 (1) allow the student to be assigned a classroom
27 teacher who has earned a designation ~~[is certified as a master,~~

1 ~~exemplary, or recognized teacher]~~ under Section 21.3521 for the
2 subsequent school year in the applicable subject area; or

3 (2) provide the student supplemental instruction
4 under Subsection (a-4).

5 SECTION 1.07. Section 29.153, Education Code, is amended by
6 adding Subsections (b-1) and (h) to read as follows:

7 (b-1) Notwithstanding Subsection (b), any child who is at
8 least three years of age is eligible for enrollment in a
9 prekindergarten class under this section if:

10 (1) the class is provided through a partnership
11 between a school district or open-enrollment charter school and a
12 community-based child-care provider described by Subsection (g);
13 and

14 (2) the child receives subsidized child-care services
15 provided through the child-care services program administered by
16 the Texas Workforce Commission.

17 (h) Notwithstanding any other law, a facility or location at
18 which prekindergarten classes are provided by a school district or
19 open-enrollment charter school in partnership with a private entity
20 under this section:

21 (1) must comply with any municipal ordinance
22 applicable to the operation of a private prekindergarten program;
23 and

24 (2) may not be required to comply with any municipal
25 ordinance applicable to the operation of a prekindergarten program
26 by a school district or open-enrollment charter school.

27 SECTION 1.08. Sections 29.934(b) and (d), Education Code,

1 are amended to read as follows:

2 (b) To apply to be designated as a resource campus under
3 this section, the campus must have received an overall performance
4 rating under Section 39.054 of D or F, or an overall performance
5 rating under Section 39.054(a-4)(1) or 39.0546 of "Not Rated," for
6 three [~~four~~] years over a 10-year period of time.

7 (d) To be designated as a resource campus, the campus must:

8 (1) implement a targeted improvement plan as described
9 by Chapter 39A and establish a school community partnership team;

10 (2) adopt an accelerated campus excellence turnaround
11 plan as provided by Section 39A.105(b) [~~except that a classroom~~
12 ~~teacher who satisfies the requirements for demonstrated~~
13 ~~instructional effectiveness under Section 39A.105(b)(3) must also~~
14 ~~hold a current designation assigned under Section 21.3521~~];

15 (3) be in a school district that has adopted an
16 approved local optional teacher designation system under Section
17 21.3521;

18 (4) satisfy certain staff criteria by:

19 (A) requiring a principal or teacher employed at
20 the campus before the designation to apply for a position to
21 continue at the campus;

22 (B) for a subject in the foundation curriculum
23 under Section 28.002(a)(1):

24 (i) employing only teachers who have at
25 least two [~~three~~] years of teaching experience; and

26 (ii) ensuring that at least 50 percent of
27 teachers hold a current designation assigned under Section 21.3521;

1 (C) employing at least one school counselor for
2 every 300 students; and

3 (D) employing at least one appropriately
4 licensed professional to assist with the social and emotional needs
5 of students and staff, who must be a:

6 (i) family and community liaison;

7 (ii) clinical social worker;

8 (iii) specialist in school psychology; or

9 (iv) professional counselor;

10 (5) implement a positive behavior program as provided
11 by Section 37.0013;

12 (6) implement a family engagement plan as described by
13 Section 29.168;

14 (7) develop and implement a plan to use high quality
15 instructional materials;

16 (8) if the campus is an elementary or middle school
17 campus, operate the campus for a school year that qualifies for
18 funding under Section 48.0051; and

19 (9) annually submit to the commissioner data and
20 information required by the commissioner to assess fidelity of
21 implementation.

22 SECTION 1.09. Effective September 1, 2028, Section 29.934,
23 Education Code, is amended by amending Subsection (b) and adding
24 Subsection (b-1) to read as follows:

25 (b) To apply to be designated as a resource campus under
26 this section, the campus must have received an overall performance
27 rating under Section 39.054 of D or F, or an overall performance

1 rating under Section 39.054(a-4)(1) of "Not Rated," for three
2 [four] years over a 10-year period of time.

3 (b-1) Notwithstanding Subsection (b), a campus may apply to
4 be designated as a resource campus under this section if the campus
5 received an overall performance rating under Section 39.054 of D or
6 F, or an overall performance rating under Section 39.054(a-4)(1) or
7 former Section 39.0546 of "Not Rated," for three years over a
8 10-year period of time. This subsection expires September 1, 2033.

9 SECTION 1.10. Subchapter 7, Chapter 29, Education Code, is
10 amended by adding Sections 29.939 and 29.940 to read as follows:

11 Sec. 29.939. HIGH SCHOOL ADVISING PROGRAM. (a) The agency
12 shall establish a high school advising program through which
13 participating school districts and open-enrollment charter schools
14 provide college or career advising supports to students, either by
15 hiring employees or contracting with service providers.

16 (b) A school district or open-enrollment charter school
17 participating in the program must have at least one partnership
18 agreement with:

19 (1) if the district or school provides college
20 advisors, a public institution of higher education to support
21 students to transition successfully from high school graduation to
22 college enrollment, persistence, and completion; and

23 (2) if the district or school provides career
24 advisors:

25 (A) a vocational program at a public institution
26 of higher education;

27 (B) an employer; or

1 (C) a local workforce board.

2 (c) An advisor under the program must be trained in:

3 (1) practices relating to college advising to serve as
4 a college advisor; and

5 (2) practices relating to career advising to serve as
6 a career advisor.

7 (d) A full-time equivalent advisor under the program may not
8 have a caseload of more than 200 students and must prioritize
9 students in grade levels 11 and 12.

10 (e) The commissioner may adopt rules as necessary to
11 implement this section. In adopting rules, the commissioner shall
12 consult with the Texas Workforce Commission and the Texas Higher
13 Education Coordinating Board.

14 Sec. 29.940. FEDERAL GRANT ADMINISTRATION. For a federal
15 grant program under which the agency oversees and administers
16 services to nonpublic schools, the agency shall follow federal
17 disposition rules and procedures to dispose of equipment or
18 supplies that are unused or no longer needed and were previously
19 allocated to nonpublic schools participating in the grant program.

20 SECTION 1.11. Section 45.105, Education Code, is amended by
21 amending Subsection (c) and adding Subsection (c-2) to read as
22 follows:

23 (c) Local school funds from district taxes, tuition fees of
24 students not entitled to a free education, other local sources, and
25 state funds not designated for a specific purpose may be used for
26 the purposes listed for state and county available funds and for
27 purchasing appliances and supplies, paying insurance premiums,

1 paying janitors and other employees, buying school sites, buying,
2 building, repairing, and renting school buildings, including
3 acquiring school buildings and sites by leasing through annual
4 payments with an ultimate option to purchase, providing advising
5 support as described by Section 48.0035, and educating students as
6 described by Subsection (c-2), and, except as provided by
7 Subsection (c-1), for other purposes necessary in the conduct of
8 the public schools determined by the board of trustees. The
9 accounts and vouchers for county districts must be approved by the
10 county superintendent. If the state available school fund in any
11 municipality or district is sufficient to maintain the schools in
12 any year for at least eight months and leave a surplus, the surplus
13 may be spent for the purposes listed in this subsection.

14 (c-2) A school district may use funding described by
15 Subsection (c) to educate a student who has graduated from high
16 school but is enrolled in the district in a program through which
17 the student may earn dual credit, including the Pathways in
18 Technology Early College High School (P-TECH) program under
19 Subchapter N, Chapter 29, and the Rural Pathway Excellence
20 Partnership (R-PEP) program under Section 29.912.

21 SECTION 1.12. Subchapter A, Chapter 48, Education Code, is
22 amended by adding Section 48.0035 to read as follows:

23 Sec. 48.0035. USE OF FUNDING FOR CERTAIN PURPOSES. A school
24 district may use funding to which the district is entitled under
25 this chapter to provide district graduates, during the first two
26 years after high school graduation, advising support toward the
27 successful completion of a certificate or degree program at a

1 public institution of higher education or a postsecondary
2 vocational training program.

3 SECTION 1.13. Section 48.005, Education Code, is amended by
4 amending Subsections (a), (b), (e), and (f) and adding Subsection
5 (a-1) to read as follows:

6 (a) In this chapter, average daily attendance is:

7 (1) the quotient of the sum of attendance for each day
8 of the minimum number of days of instruction as described under
9 Section 25.081(a) divided by the minimum number of days of
10 instruction;

11 (2) for a district that operates under a flexible year
12 program under Section 29.0821, the quotient of the sum of
13 attendance for each actual day of instruction as permitted by
14 Section 29.0821(b)(1) divided by the number of actual days of
15 instruction as permitted by Section 29.0821(b)(1);

16 (3) for a district that operates under a flexible
17 school day program under Section 29.0822, the average daily
18 attendance as calculated by the commissioner in accordance with
19 Sections 29.0822(d) and (d-1); or

20 (4) except as provided by Subsection (a-1), for a
21 district that operates a half-day program or a full-day program
22 under Section 29.153(c), one-half of the average daily attendance
23 calculated under Subdivision (1).

24 (a-1) Average daily attendance is calculated under
25 Subsection (a)(1) for students:

26 (1) enrolled in a half-day program or full-day program
27 under Section 29.153(c) provided by an eligible private provider

1 under Section 29.171; and

2 (2) assigned to a campus:

3 (A) that is operated under a contract entered
4 into by the district with an entity under Section 11.174 or an
5 eligible private provider under Section 29.171; or

6 (B) of an open-enrollment charter school that is
7 operated by an entity governed by a management contract approved by
8 the agency.

9 (b) A school district that experiences a decline of more
10 than five [~~two~~] percent [~~or more~~] in average daily attendance shall
11 be funded on the basis of [~~+~~

12 [~~(1) the actual average daily attendance of the~~
13 ~~preceding school year, if the decline is the result of the closing~~
14 ~~or reduction in personnel of a military base; or~~

15 [~~(2) subject to Subsection (e),~~] an average daily
16 attendance of 95 [~~not to exceed 98~~] percent of the actual average
17 daily attendance of the preceding school year [~~, if the decline is~~
18 ~~not the result of the closing or reduction in personnel of a~~
19 ~~military base].~~

20 (e) For each school year, the commissioner shall adjust the
21 average daily attendance of school districts that are entitled to
22 funding on the basis of an adjusted average daily attendance under
23 Subsection (b) [~~(b)(2)~~] so that:

24 (1) all districts are funded on the basis of the same
25 percentage of the preceding year's actual average daily attendance;
26 and

27 (2) the total cost to the state does not exceed \$50

1 million, or a greater amount provided by appropriation [~~the amount~~
2 ~~specifically appropriated for that year for purposes of Subsection~~
3 ~~(b)(2)~~].

4 (f) An open-enrollment charter school is not entitled to
5 funding based on an adjustment under Subsection (b) [~~(b)(2)~~].

6 SECTION 1.14. Section 48.0051, Education Code, is amended
7 by amending Subsections (a), (b), and (d) and adding Subsection
8 (b-1) to read as follows:

9 (a) The [~~Subject to Subsection (a-1), the~~] commissioner
10 shall adjust the average daily attendance of a school district or
11 open-enrollment charter school under Section 48.005 in the manner
12 provided by Subsection (b) if the district or school:

13 (1) provides the minimum number of minutes of
14 operational and instructional time required under Section 25.081
15 and commissioner rules adopted under that section over at least 175
16 [~~180~~] days of instruction; and

17 (2) offers an additional 30 days of half-day
18 instruction for students enrolled in prekindergarten through
19 eighth [~~fifth~~] grade.

20 (b) Subject to Subsection (b-1), for [~~For~~] a school district
21 or open-enrollment charter school described by Subsection (a), the
22 commissioner shall increase the average daily attendance of the
23 district or school under Section 48.005 by the amount that results
24 from the quotient of the sum of attendance by students described by
25 Subsection (a)(2) for each of the 30 additional instructional days
26 of half-day instruction that are provided divided by 175 [~~180~~].

27 (b-1) For a school district or open-enrollment charter

1 school described by Subsection (a) that provides at least 200 full
2 days of instruction to students described by Subsection (a)(2), the
3 commissioner shall increase the amount computed for the district or
4 school under Subsection (b) by 50 percent.

5 (d) This section does not prohibit a school district from
6 providing the minimum number of minutes of operational and
7 instructional time required under Section 25.081 and commissioner
8 rules adopted under that section over fewer than 175 [~~180~~] days of
9 instruction.

10 SECTION 1.15. Subchapter A, Chapter 48, Education Code, is
11 amended by adding Section 48.014 to read as follows:

12 Sec. 48.014. NOTICE FOR SCHOOL DISTRICTS REGARDING RECOURSE
13 FOR INVALID PROPERTY VALUES. (a) This section applies only to a
14 school district located in an appraisal district in which the
15 comptroller has certified the preliminary findings of the school
16 district property value study under Section 403.302(g), Government
17 Code, and determined that a school district located in the
18 appraisal district has an invalid local value, regardless of
19 whether the district meets the definition of an eligible school
20 district under Section 403.3011, Government Code.

21 (b) For each school district to which this section applies
22 and as soon as practicable after the comptroller has certified the
23 preliminary findings of the school district property value study
24 under Section 403.302(g), Government Code, the commissioner shall
25 provide notice to the board of trustees of the district that
26 includes information regarding the impact or possible impact of a
27 final certification of an invalid local value on the district's

1 finances, including:

2 (1) an estimate of the effect on the district's
3 finances; and

4 (2) any right of recourse available to the district.

5 (c) Each school district shall annually report to the agency
6 contact information for the members of the district's board of
7 trustees for purposes of receiving the notice under this section.

8 (d) The commissioner shall coordinate with the comptroller
9 to provide copies of the notice under this section to the board of
10 directors of each applicable appraisal district.

11 SECTION 1.16. Sections 48.051(a), (c), and (c-1), Education
12 Code, are amended to read as follows:

13 (a) For each student in average daily attendance, not
14 including the time students spend each day in career and technology
15 education programs or in special education programs in a setting
16 [an instructional arrangement] other than a general education
17 setting [mainstream or career and technology education programs],
18 for which an additional allotment is made under Subchapter C, a
19 school district is entitled to an allotment equal to the lesser of
20 \$6,380 [~~\$6,160~~] or the amount that results from the following
21 formula:

22
$$A = \underline{\$6,380} [\underline{\$6,160}] \times TR/MCR$$

23 where:

24 "A" is the allotment to which a district is entitled;

25 "TR" is the district's tier one maintenance and operations
26 tax rate, as provided by Section 45.0032; and

27 "MCR" is the district's maximum compressed tax rate, as

1 determined under Section 48.2551.

2 (c) During any school year for which the maximum amount of
3 the basic allotment provided under Subsection (a) or (b) is greater
4 than the maximum amount provided for the preceding school year, a
5 school district must use at least 40 [~~30~~] percent of the amount, if
6 the amount is greater than zero, that equals the product of the
7 average daily attendance of the district multiplied by the amount
8 of the difference between the district's funding under this chapter
9 per student in average daily attendance for the current school year
10 and the preceding school year to provide compensation increases to
11 full-time district employees other than administrators as follows:

12 (1) 75 percent must be used to increase the
13 compensation paid to classroom teachers, full-time librarians,
14 full-time school counselors certified under Subchapter B, Chapter
15 21, and full-time school nurses, prioritizing differentiated
16 compensation for classroom teachers with more than five years of
17 experience; and

18 (2) 25 percent may be used as determined by the
19 district to increase compensation paid to full-time district
20 employees.

21 (c-1) A school district employee who received a salary
22 increase under Subsection (c) [~~from a school district for the~~
23 ~~2019-2020 school year~~] is, as long as the employee remains employed
24 by the same district and the district is receiving at least the same
25 amount of funding as the amount of funding the district received for
26 the [~~2019-2020~~] school year in which the requirement under
27 Subsection (c) applied, entitled to salary that is at least equal to

1 the salary the employee received for the preceding ~~[2019-2020]~~
2 school year. This subsection does not apply if:

3 (1) the board of trustees of the school district at
4 which the employee is employed:

5 (A) ~~[(1)]~~ complies with Sections [21.4021](#),
6 [21.4022](#), and [21.4032](#) in reducing the employee's salary; and

7 (B) ~~[(2)]~~ has adopted a resolution declaring a
8 financial exigency for the district under Section [44.011](#); or

9 (2) the school district evaluates the employee's
10 performance and the employee's performance rating is lower than the
11 employee's performance rating during the school year in which the
12 requirement under Subsection (c) applied.

13 SECTION 1.17. Section [48.101](#), Education Code, is amended to
14 read as follows:

15 Sec. 48.101. SMALL AND MID-SIZED DISTRICT ALLOTMENT. (a)
16 Small and mid-sized districts are entitled to an annual allotment
17 in accordance with this section. In this section:

18 (1) "AA" is the district's annual allotment per
19 student in average daily attendance;

20 (2) "ADA" is the number of students in average daily
21 attendance for which the district is entitled to an allotment under
22 Section [48.051](#), other than students in average daily attendance who
23 do not reside in the district and are enrolled in a full-time
24 virtual program; and

25 (3) "BA" is the basic allotment determined under
26 Section [48.051](#).

27 (b) A school district that has fewer than 1,600 students in

1 average daily attendance is entitled to an annual allotment for
 2 each student in average daily attendance based on the following
 3 formula:

$$4 \quad AA = ((1,600 - ADA) \times \underline{.00062} [\del{.0004}]) \times BA$$

5 (c) A school district that offers a kindergarten through
 6 grade 12 program and has less than 5,000 students in average daily
 7 attendance is entitled to an annual allotment for each student in
 8 average daily attendance based on the formula, of the following
 9 formulas, that results in the greatest annual allotment:

10 (1) the formula in Subsection (b), if the district is
 11 eligible for that formula; or

$$12 \quad (2) \quad AA = ((5,000 - ADA) \times \underline{.000035} [\del{.000025}]) \times BA.$$

13 (d) Instead of the allotment under Subsection (b) or (c)(1),
 14 a school district that has fewer than 300 students in average daily
 15 attendance and is the only school district located in and operating
 16 in a county is entitled to an annual allotment for each student in
 17 average daily attendance based on the following formula:

$$18 \quad AA = ((1,600 - ADA) \times \underline{.00065} [\del{.00047}]) \times BA$$

19 SECTION 1.18. Sections [48.104](#)(a), (d), and (e), Education
 20 Code, are amended to read as follows:

21 (a) For each student who does not have a disability and
 22 resides in a residential placement facility in a district in which
 23 the student's parent or legal guardian does not reside, a district
 24 is entitled to an annual allotment equal to the basic allotment
 25 multiplied by 0.2 or, if the student is educationally
 26 disadvantaged, 0.28 [~~0.275~~]. For each full-time equivalent student
 27 who is in a remedial and support program under Section [29.081](#)

1 because the student is pregnant, a district is entitled to an annual
2 allotment equal to the basic allotment multiplied by 2.41.

3 (d) The weights assigned to the five tiers of the index
4 established under Subsection (c) are, from least to most severe
5 economic disadvantage, 0.23 [~~0.225~~], 0.2425 [~~0.2375~~], 0.255
6 [~~0.25~~], 0.2675 [~~0.2625~~], and 0.28 [~~0.275~~].

7 (e) If insufficient data is available for any school year to
8 evaluate the level of economic disadvantage in a census block
9 group, a school district is entitled to an annual allotment equal to
10 the basic allotment multiplied by 0.23 [~~0.225~~] for each student who
11 is educationally disadvantaged and resides in that census block
12 group.

13 SECTION 1.19. Section [48.112](#), Education Code, is amended by
14 amending Subsections (c), (d), and (i) and adding Subsection (g-1)
15 to read as follows:

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

21 (1) \$12,000, or an increased amount not to exceed
22 \$36,000 [~~\$32,000~~] as determined under Subsection (d), for each
23 master teacher;

24 (2) \$9,000 [~~\$6,000~~], or an increased amount not to
25 exceed \$25,000 [~~\$18,000~~] as determined under Subsection (d), for
26 each exemplary teacher; ~~and~~

27 (3) \$5,000 [~~\$3,000~~], or an increased amount not to

1 exceed \$15,000 [~~\$9,000~~] as determined under Subsection (d), for
2 each recognized teacher; and

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

5 (A) acknowledged teacher; or

6 (B) nationally board certified teacher.

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

11 (1) \$6,000 [~~\$5,000~~] for each master teacher;

12 (2) \$4,000 [~~\$3,000~~] for each exemplary teacher; [~~and~~]

13 (3) \$2,500 [~~\$1,500~~] for each recognized teacher; and

14 (4) \$1,500 for each:

15 (A) acknowledged teacher; or

16 (B) nationally board certified teacher.

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

21 (i) A district shall annually certify that:

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

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

1 (B) for a district whose allotment was increased
2 under Subsection (g-1), the amount by which the allotment was
3 increased under that subsection was used to meet the criteria to
4 maintain a designation as an enhanced teacher incentive allotment
5 school under Section 21.3521(d-1); and

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

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

12 SECTION 1.20. Subchapter C, Chapter 48, Education Code, is
13 amended by adding Section 48.116 to read as follows:

14 Sec. 48.116. FINE ARTS ALLOTMENT. (a) For each student in
15 average daily attendance enrolled in a fine arts education course
16 approved by the agency under Subsection (b) in grades 6 through 12,
17 a school district is entitled to an annual allotment equal to:

18 (1) if the student is not educationally disadvantaged,
19 the basic allotment, or, if applicable, the sum of the basic
20 allotment and the allotment under Section 48.101 to which the
21 district is entitled, multiplied by 0.008; or

22 (2) if the student is educationally disadvantaged, the
23 amount determined under Subdivision (1) multiplied by two.

24 (b) The agency shall approve fine arts education courses
25 that qualify for the allotment provided under this section. The
26 approved courses must include fine arts education courses that:

27 (1) are authorized by the State Board of Education,

1 including music, art, theater, and dance;

2 (2) provide students with the knowledge and skills
3 necessary for success in the fine arts; and

4 (3) require a student in full-time attendance to
5 receive not less than 225 minutes of fine arts instruction per week.

6 (c) The agency shall annually publish a list of fine arts
7 education courses approved under Subsection (b).

8 (d) The total amount of allotments provided under this
9 section for a school year may not exceed \$15 million.

10 (e) The agency may proportionally reduce each school
11 district's allotment under this section if the amount appropriated
12 for purposes of this section is insufficient to pay for all
13 allotments to which districts are entitled under this section.

14 SECTION 1.21. Subchapter D, Chapter 48, Education Code, is
15 amended by adding Section 48.162 to read as follows:

16 Sec. 48.162. HIGH SCHOOL ADVISING ALLOTMENT. (a) Subject
17 to Subsections (b) and (c), for each full-time equivalent advisor
18 or contracted service provider under the high school advising
19 program established under Section 29.939, a school district is
20 entitled to \$50,000.

21 (b) The number of advisors for whom a school district may
22 receive an allotment under this section may not exceed the quotient
23 of, rounded up to the nearest whole number:

24 (1) the number of students enrolled in the district in
25 grade levels 11 and 12; and

26 (2) 200.

27 (c) Beginning with the fifth school year for which a school

1 district receives an allotment under this section, the commissioner
2 shall reduce the district's allotment by 20 percent for each school
3 year unless the district's performance under Section 48.110 for the
4 school year:

5 (1) exceeded the average of the district's performance
6 under that section for the two school years preceding that school
7 year;

8 (2) was in the top 25 percent of statewide performance
9 under that section; or

10 (3) established that at least 40 percent of the
11 district's educationally disadvantaged annual graduates
12 demonstrated college, career, or military readiness as described by
13 Section 48.110(f).

14 SECTION 1.22. Section 48.202(a-1), Education Code, is
15 amended to read as follows:

16 (a-1) For purposes of Subsection (a), the dollar amount
17 guaranteed level of state and local funds per weighted student per
18 cent of tax effort ("GL") for a school district is:

19 (1) the greater of the amount of district tax revenue
20 per weighted student per cent of tax effort available to a school
21 district at the 96th percentile of wealth per weighted student or
22 the amount that results from multiplying the maximum amount of the
23 basic allotment provided under Section 48.051 for the applicable
24 school year [~~6,160~~], or the greater amount provided under Section
25 48.051(b), if applicable, by 0.016, for the first eight cents by
26 which the district's maintenance and operations tax rate exceeds
27 the district's tier one tax rate; and

1 (2) subject to Subsection (f), the amount that results
2 from multiplying the maximum amount of the basic allotment provided
3 under Section 48.051 for the applicable school year [~~\$6,160~~], or
4 the greater amount provided under Section 48.051(b), if applicable,
5 by 0.008, for the district's maintenance and operations tax effort
6 that exceeds the amount of tax effort described by Subdivision (1).

7 SECTION 1.23. Section 48.2543, Education Code, is amended
8 to read as follows:

9 Sec. 48.2543. ADDITIONAL STATE AID FOR CERTAIN DISTRICTS
10 [~~HOMESTEAD EXEMPTION~~]. [~~(a) For the 2022-2023 school year, a~~
11 ~~school district is entitled to additional state aid to the extent~~
12 ~~that state and local revenue under this chapter and Chapter 49 is~~
13 ~~less than the state and local revenue that would have been available~~
14 ~~to the district under this chapter and Chapter 49 as those chapters~~
15 ~~existed on September 1, 2021, if any increase in the residence~~
16 ~~homestead exemption under Section 1-b(c), Article VIII, Texas~~
17 ~~Constitution, as proposed by the 87th Legislature, 3rd Called~~
18 ~~Session, 2021, had not occurred.~~

19 [(~~a-1~~)] Beginning with the 2025-2026 [~~2023-2024~~] school
20 year, a school district is entitled to additional state aid to the
21 extent that state and local revenue under this chapter, other than
22 former Section 48.2543(a), and Chapter 49 is less than the state and
23 local revenue that would have been available to the district under
24 this chapter and Chapter 49 as those chapters existed on September
25 1, 2022, if each of the following had not occurred:

26 (1) an [~~any~~] increase in a residence homestead
27 exemption under Section 1-b(c), Article VIII, Texas Constitution,

1 and any additional limitation on tax increases under Section 1-b(d)
2 of that article as proposed by the 88th Legislature, 2nd Called
3 Session, 2023;

4 (2) a reduction of the amount of the limitation on tax
5 increases provided by Section 11.26(a-10), Tax Code; and

6 (3) a reduction in the district's maximum compressed
7 tax rate under Section 48.2555, as added by Chapter 1 (S.B. 2), Acts
8 of the 88th Legislature, 2nd Called Session, 2023 [~~had not~~
9 ~~occurred~~].

10 [~~(b) The lesser of the school district's currently adopted~~
11 ~~maintenance and operations tax rate or the adopted maintenance and~~
12 ~~operations tax rate for:~~

13 [~~(1) the 2021 tax year is used for the purpose of~~
14 ~~determining additional state aid under Subsection (a); and~~

15 [~~(2) the 2022 tax year is used for the purpose of~~
16 ~~determining additional state aid under Subsection (a-1).~~]

17 SECTION 1.24. Section 48.257, Education Code, is amended by
18 adding Subsection (b-1) to read as follows:

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

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

26 (A) the amount to which the district is entitled
27 under Subchapters B, C, and D less the district's distribution from

1 the available school fund for that school year; and
2 (B) the district's tier one maintenance and
3 operations tax collections for that school year; or
4 (2) the sum of the district's allotments under
5 Sections 48.0051, 48.110, and 48.112 for that school year.

6 SECTION 1.25. Section 48.266, Education Code, is amended by
7 amending Subsection (b) and adding Subsection (b-1) to read as
8 follows:

9 (b) Except as provided by this subsection and subject to
10 Subsection (b-1), the commissioner shall base the determinations
11 under Subsection (a) on the estimates provided to the legislature
12 under Section 48.269, or, if the General Appropriations Act
13 provides estimates for that purpose, on the estimates provided
14 under that Act, for each school district for each school year. The
15 commissioner shall reduce the entitlement of each district that has
16 a final taxable value of property for the second year of a state
17 fiscal biennium that is higher than the estimate under Section
18 48.269 or the General Appropriations Act, as applicable. A
19 reduction under this subsection may not reduce the district's
20 entitlement below the amount to which it is entitled at its actual
21 taxable value of property.

22 (b-1) Periodically throughout the school year, the
23 commissioner shall adjust the determinations made under Subsection
24 (a) to reflect current school year estimates of a district's
25 enrollment and average daily attendance, as determined by the
26 commissioner.

27 SECTION 1.26. Section 48.283, Education Code, is amended to

1 read as follows:

2 Sec. 48.283. ADDITIONAL STATE AID FOR CERTAIN DISTRICTS
3 IMPACTED BY COMPRESSION. (a) For the 2023-2024 and 2024-2025
4 school years, a [A] school district that received an adjustment
5 under Section 48.257(b) for the 2022-2023 school year is entitled
6 to additional state aid [~~for each school year~~] in an amount equal to
7 [~~the amount of that adjustment for the 2022-2023 school year less~~]
8 the difference, if the difference is greater than zero, between:

9 (1) [~~the amount to which the district is entitled~~
10 ~~under this chapter for the current school year; and~~

11 [~~(2)~~] the amount of state and local revenue that would
12 have been available to [which] the district [would be entitled]
13 under this chapter and Chapter 49 for the 2023-2024 or 2024-2025
14 [current] school year, as applicable, if the district's maximum
15 compressed tax rate had not been reduced under Section 48.2555, as
16 added by S.B. 2, Acts of the 88th Legislature, 2nd Called Session,
17 2023; and

18 (2) the amount of state and local revenue available to
19 the district under this chapter and Chapter 49 for the 2023-2024 or
20 2024-2025 school year, as applicable.

21 (b) This section expires January 1, 2026.

22 SECTION 1.27. Subchapter F, Chapter 48, Education Code, is
23 amended by adding Sections 48.2711 and 48.284 to read as follows:

24 Sec. 48.2711. ADJUSTMENT FOR LOSS OF REVENUE DUE TO USE OF
25 STATE VALUE. (a) This section applies only to a school district:

26 (1) for which the state value for the district's
27 taxable value of property is used under Section 403.302(c),

1 Government Code; and

2 (2) in which the district's board of trustees adopts a
3 resolution during the school year recognizing the need for an
4 adjustment under this section.

5 (b) For each school district to which this section applies,
6 the agency shall determine whether the district's entitlement under
7 this chapter for a school year is greater if the district's taxable
8 value of property is:

9 (1) the local value; or

10 (2) the state value as determined by the comptroller
11 under Sections 403.302(a) and (b), Government Code.

12 (c) If the agency determines under Subsection (b) that the
13 school district's entitlement is greater for the applicable school
14 year using the local value for the district's taxable value of
15 property, the commissioner shall increase state aid or adjust the
16 limit on local revenue under Section 48.257 for the district for
17 that school year in an amount equal to:

18 (1) for the first school year in which this subsection
19 applies to the district, the difference between the amounts
20 determined under Subsection (b);

21 (2) for the second consecutive school year in which
22 this subsection applies to the district, 70 percent of the
23 difference between the amounts determined under Subsection (b); and

24 (3) for the third consecutive school year in which
25 this subsection applies to the district, 40 percent of the
26 difference between the amounts determined under Subsection (b).

27 (d) A school district may not receive an adjustment under

1 this section for more than three consecutive school years unless
2 the legislature specifically appropriates money for the purpose of
3 making adjustments under this section for the fourth or a
4 subsequent consecutive school year.

5 (e) For purposes of determining the number of consecutive
6 school years for which this section applies to a school district,
7 the commissioner may not consider a school year before the
8 2025-2026 school year.

9 (f) A school year in which the comptroller determines a
10 school district's local value to be valid under Section 403.302(c),
11 Government Code, that occurs after the district receives an
12 adjustment under this section is not included in calculating
13 consecutive school years under Subsection (c) or (d) and is not
14 considered a break in consecutive school years, except as provided
15 by Subsection (h).

16 (g) A school district may not receive an adjustment under
17 this section for a school year in which the district is determined
18 to be an eligible school district, as defined by Section 403.3011,
19 Government Code. A school year in which the district is not
20 eligible for an adjustment under this subsection is included in
21 calculating consecutive school years under Subsections (c) and (d).

22 (h) Except as provided by Subsection (d), a school district
23 that receives an adjustment under this section for three
24 consecutive school years is not eligible to receive an adjustment
25 under this section in the subsequent school year but may be again
26 eligible for the adjustment following two consecutive school years
27 for which the local value is used for the district's taxable value

1 of property under Section 403.302(c), Government Code.

2 (i) The total amount of adjustments made under this section
3 for a school year may not exceed \$60 million.

4 (j) If the total amount of adjustments for which school
5 districts are eligible under this section for a school year exceeds
6 the limit under Subsection (i), the commissioner shall prioritize
7 school districts experiencing the greatest percentage reduction in
8 funding, as determined based on the difference between the amounts
9 determined under Subsection (b).

10 (k) A determination made by the commissioner under this
11 section is final and may not be appealed.

12 Sec. 48.284. ADDITIONAL STATE AID FOR REGIONAL INSURANCE
13 COST DIFFERENTIALS. (a) This section applies to a school district
14 or open-enrollment charter school that owns or leases real property
15 located in an area served by a regional education service center for
16 Region 1, 2, 3, 4, or 5, as those regions existed on September 1,
17 2024.

18 (b) A school district or open-enrollment charter school to
19 which this section applies is entitled to additional state aid for
20 each school year equal to \$55, or a greater amount provided by
21 appropriation, per student in average daily attendance for the
22 increased cost incurred by the district or school for expenses
23 related to maintaining property and casualty insurance.

24 SECTION 1.28. Sections 12.106(a-4) and 48.2542, Education
25 Code, are repealed.

26 SECTION 1.29. Immediately following the effective date of
27 this Act, a school district or open-enrollment charter school shall

1 redesignate a teacher who holds a designation made under Section
2 21.3521, Education Code, before the effective date of this Act, to
3 reflect the teacher's designation under Section 21.3521, Education
4 Code, as amended by this article. Funding provided to a school
5 district under Section 48.112, Education Code, as amended by this
6 article, for a teacher who held a designation made under Section
7 21.3521, Education Code, as that section existed immediately before
8 the effective date of this Act, shall be increased to reflect the
9 teacher's redesignation under Section 21.3521, Education Code, as
10 amended by this article.

11 SECTION 1.30. Not later than September 1, 2026, the
12 commissioner of education shall post on the Texas Education
13 Agency's Internet website the initial list of enhanced teacher
14 incentive allotment schools required by Section 21.3521(d-3),
15 Education Code, as added by this article.

16 ARTICLE 2. TEACHER PREPARATION AND CHANGES RELATED TO EMPLOYEES

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

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

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

25 (2) Subchapters A, C, D, and E, Chapter 11, except that
26 a district may be exempt from Sections 11.1511(b)(5) and (14) and
27 Section 11.162;

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

3 (4) parental notification requirements under Section
4 21.057;

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

7 (6) [~~4~~] academic and financial accountability and
8 sanctions under Chapters 39 and 39A.

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

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

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

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

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

19 (3-b) "Teacher of record" means a person employed by a
20 school district who teaches the majority of the instructional day
21 in an academic instructional setting and is responsible for
22 evaluating student achievement and assigning grades.

23 SECTION 2.04. Subchapter A, Chapter 21, Education Code, is
24 amended by adding Section 21.0032 to read as follows:

25 Sec. 21.0032. EMPLOYMENT OF UNCERTIFIED CLASSROOM
26 TEACHERS. (a) A school district may not employ as a classroom
27 teacher for a course in the foundation curriculum under Section

1 28.002 a person who does not hold an appropriate certificate or
2 permit issued by the State Board for Educator Certification under
3 Subchapter B.

4 (b) Notwithstanding Subsection (a), for the 2026-2027
5 school year, a school district may employ as a teacher of record for
6 a course other than a reading language arts or mathematics course in
7 a grade level above grade five a person who does not hold an
8 appropriate certificate or permit issued by the State Board for
9 Educator Certification under Subchapter B.

10 (c) From money appropriated or otherwise available for the
11 purpose, the agency shall provide to each school district a
12 one-time payment of \$1,000 for each classroom teacher employed by
13 the district who:

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

16 (2) was uncertified on January 1, 2025;

17 (3) earned a standard certificate under Subchapter B
18 by the end of the 2025-2026 school year; and

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

21 (d) This subsection and Subsections (b) and (c) expire
22 September 1, 2027.

23 SECTION 2.05. Subchapter A, Chapter 21, Education Code, is
24 amended by adding Section 21.010 to read as follows:

25 Sec. 21.010. TEACHER POSITION DATA COLLECTION. The agency
26 shall collect data from school districts and open-enrollment
27 charter schools for the recruitment and retention of classroom

1 teachers, including the classification, grade level, subject area,
2 duration, and other relevant information regarding vacant teaching
3 positions in a district or school. The data may be collected using
4 the Public Education Information Management System (PEIMS) or
5 another reporting mechanism specified by the agency.

6 SECTION 2.06. Section 21.041, Education Code, is amended by
7 adding Subsection (e) to read as follows:

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

11 SECTION 2.07. Subchapter B, Chapter 21, Education Code, is
12 amended by adding Sections 21.0411, 21.0412, 21.04421, 21.04422,
13 and 21.04423 to read as follows:

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

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

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

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

1 administration of the examination to the person.

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

6 (1) a standard certificate if the candidate satisfies
7 all traditional teacher preparation requirements under Section
8 21.04421;

9 (2) a residency standard certificate if the candidate
10 satisfies all requirements of the teacher residency standard
11 preparation route established under Section 21.04422;

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

19 (4) an intern certificate, which expires two years
20 after issuance unless modified by the board, if the candidate has
21 yet to satisfy all requirements for certification for an
22 alternative teacher preparation route established under Section
23 21.04423(2) but has met all board requirements to serve as a teacher
24 of record.

25 (b) Rules proposed under Subsection (a)(2) may not require a
26 candidate to pass a pedagogy examination unless the examination
27 tests subject-specific content appropriate for the grade level and

1 subject area for which the candidate seeks certification.

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

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

9 Sec. 21.04421. TRADITIONAL TEACHER PREPARATION. (a) In
10 proposing rules under this subchapter regarding training
11 requirements for a candidate seeking certification through a
12 traditional teacher preparation route in which a candidate may
13 concurrently receive an undergraduate or master's degree and a
14 certification to teach a subject area at a particular grade level,
15 the board shall require the candidate to complete substantial
16 preservice practice in a prekindergarten through grade 12 classroom
17 that:

18 (1) is provided through a formal partnership between
19 the educator preparation program and a school district or
20 open-enrollment charter school; and

21 (2) includes practicing the skills learned from the
22 instruction described by Sections 21.0443(b)(3) and (4).

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

27 Sec. 21.04422. TEACHER RESIDENCY STANDARD PREPARATION. (a)

1 The board shall propose rules under this subchapter to create a
2 teacher residency standard preparation route.

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

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

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

10 (3) meet the traditional teacher preparation
11 requirements under Section 21.04421;

12 (4) require a candidate to receive preservice
13 practice, including practice in the skills learned from the
14 instruction described by Sections 21.0443(b)(3) and (4), in a
15 prekindergarten through grade 12 classroom for at least one full
16 school year; and

17 (5) use multiple assessments to measure a candidate's
18 progress.

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

24 (1) a preservice alternative teacher preparation
25 route that meets the traditional teacher preparation requirements
26 under Section 21.04421; and

27 (2) an alternative teacher preparation route that

1 allows for flexibility in how a candidate may demonstrate
2 proficiency for certification.

3 SECTION 2.08. Section 21.0443, Education Code, is amended
4 to read as follows:

5 Sec. 21.0443. EDUCATOR PREPARATION PROGRAM APPROVAL AND
6 RENEWAL. (a) The board shall propose rules to establish
7 standards to govern the approval or renewal of approval of:

8 (1) educator preparation programs; [~~and~~]

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

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

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

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

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

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

24 (1) incorporate proactive instructional planning
25 techniques throughout course work and across content areas using a
26 framework that:

27 (A) provides flexibility in the ways:

- 1 (i) information is presented;
- 2 (ii) students respond or demonstrate
- 3 knowledge and skills; and
- 4 (iii) students are engaged;
- 5 (B) reduces barriers in instruction;
- 6 (C) provides appropriate accommodations,
- 7 supports, and challenges; and
- 8 (D) maintains high achievement expectations for
- 9 all students, including students with disabilities and students of
- 10 limited English proficiency;
- 11 (2) integrate inclusive practices for all students,
- 12 including students with disabilities, and evidence-based
- 13 instruction and intervention strategies throughout course work,
- 14 clinical experience, and student teaching;
- 15 (3) incorporate the instructional materials and
- 16 training developed under Section 21.067;
- 17 (4) if applicable and approved by the agency for the
- 18 grade and subject area for which the program provides instruction,
- 19 incorporate the literacy achievement academies and mathematics
- 20 achievement academies under Sections 21.4552 and 21.4553;
- 21 (5) ensure that instruction described by Subdivisions
- 22 (3) and (4) is delivered by a person approved by the agency to
- 23 provide the instruction;
- 24 (6) ensure that the program and the program's
- 25 administrators, instructors, and other employees comply with
- 26 Section 28.0022 as if:
- 27 (A) the program were a school district;

1 (B) the program's administrators, instructors,
2 and other employees are administrators, teachers, or other
3 employees of a school district, as applicable; and

4 (C) candidates in the program were students of a
5 school district;

6 (7) adequately prepare candidates for educator
7 certification; and

8 (8) [~~4~~] meet the standards and requirements of the
9 board.

10 (b-1) The board by rule shall designate the components of a
11 literacy achievement academy or mathematics achievement academy
12 under Section 21.4552 or 21.4553, as applicable, that may be
13 completed after receiving an intern with preservice experience
14 certificate under Section 21.0412.

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

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

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

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

27 SECTION 2.09. Subchapter B, Chapter 21, Education Code, is

1 amended by adding Section 21.0456 to read as follows:

2 Sec. 21.0456. SANCTIONS FOR NONCOMPLIANCE. (a) The board
3 may impose a sanction against an educator preparation program for
4 noncompliance with a provision of this subchapter or a rule adopted
5 under this subchapter, including a rule proposed under Section
6 21.0443, or to address a complaint received under Section 21.0455.
7 A sanction under this subsection may be one or more of the actions
8 described by Section 21.0451(a)(2), regardless of whether a program
9 has been rated as accredited-probation under the Accountability
10 System for Educator Preparation for a period of at least one year.

11 (b) Any action authorized to be taken against an educator
12 preparation program under Subsection (a) may also be taken with
13 regard to a particular route or field of certification authorized
14 to be offered by an educator preparation program.

15 (c) A revocation must be effective for a period of at least
16 two years. After two years, the program may seek renewed approval to
17 prepare educators for state certification.

18 (d) The costs of technical assistance or the costs
19 associated with the appointment of a monitor shall be paid by the
20 educator preparation program.

21 SECTION 2.10. Section 21.049, Education Code, is amended to
22 read as follows:

23 Sec. 21.049. ALTERNATIVE EDUCATOR PREPARATION PROGRAMS
24 [CERTIFICATION]. (a) To provide a continuing additional source of
25 qualified educators, the board shall propose rules providing that
26 [for] educator certification programs may be provided by an
27 institution of higher education or another entity [as an

1 ~~alternative to traditional educator preparation programs~~]. The
2 rules may not provide that a person may be certified under this
3 section only if there is a demonstrated shortage of educators in a
4 school district or subject area.

5 (b) The board may not require a person employed as a teacher
6 in an alternative education program under Section 37.008 or a
7 juvenile justice alternative education program under Section
8 37.011 for at least three years to complete an alternative educator
9 preparation ~~[certification]~~ program adopted under this section
10 before taking the appropriate certification examination.

11 SECTION 2.11. Section 21.057, Education Code, is amended by
12 adding Subsections (f) and (g) to read as follows:

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

16 (g) A notice provided under this section, including a notice
17 provided in accordance with Subsection (e), must include
18 information regarding eligibility to participate in the public
19 education grant program under Section 29.202.

20 SECTION 2.12. Subchapter B, Chapter 21, Education Code, is
21 amended by adding Sections 21.066 and 21.067 to read as follows:

22 Sec. 21.066. TEMPORARY COMMISSIONER RULEMAKING AUTHORITY.

23 (a) Notwithstanding any other law, the commissioner may adopt
24 rules or amend, repeal, or otherwise modify a rule proposed by the
25 board under this subchapter to ensure the expedited implementation
26 of new teacher preparation routes, requirements, and certificates.

27 (b) Notwithstanding any other law, the commissioner shall

1 adopt initial rules relating to the implementation of Sections
2 21.0412, 21.04421, 21.04422, and 21.04423 not later than December
3 31, 2025.

4 (c) Section 21.041(e) applies to rules adopted, amended,
5 repealed, or otherwise modified under this section.

6 (d) This section expires September 1, 2028.

7 Sec. 21.067. EDUCATOR PREPARATION MATERIALS AND TRAINING.

8 (a) The commissioner shall develop and make available:

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

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

13 (b) The materials and training developed under Subsection

14 (a) must:

15 (1) be research-based;

16 (2) support the development of proficiency in the
17 knowledge and skills specified by rules proposed under Section
18 21.044(a)(1); and

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

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

24 SECTION 2.13. Section 21.402, Education Code, is amended by
25 adding Subsections (f-1), (f-2), (f-3), and (f-4) to read as
26 follows:

27 (f-1) A school district must pay to a classroom teacher with

1 zero years of experience who holds a certificate under Section
2 21.0412(a)(1), (2), or (3) a minimum salary that is greater than the
3 minimum salary paid to a classroom teacher with zero years of
4 experience who does not hold a certificate under Section
5 21.0412(a)(1), (2), or (3).

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

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

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

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

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

21 SECTION 2.14. Subchapter I, Chapter 21, Education Code, is
22 amended by adding Section 21.416 to read as follows:

23 Sec. 21.416. EMPLOYED RETIREE EDUCATOR REIMBURSEMENT GRANT
24 PROGRAM. (a) From money appropriated or otherwise available, the
25 commissioner shall establish and administer a grant program to
26 reimburse a school district, an open-enrollment charter school, the
27 Windham School District, the Texas School for the Deaf, or the Texas

1 School for the Blind and Visually Impaired for the increased
2 contributions to the Teacher Retirement System of Texas associated
3 with hiring a teacher, or an educator providing special education
4 services, who retired before September 1, 2024.

5 (b) In appropriating money for grants awarded under this
6 section, the legislature may provide for, modify, or limit amounts
7 appropriated for that purpose in the General Appropriations Act,
8 including by:

9 (1) providing, notwithstanding Subsection (a), a date
10 or date range other than September 1, 2024, before which a teacher
11 or educator must have retired for a school district, an
12 open-enrollment charter school, the Windham School District, the
13 Texas School for the Deaf, or the Texas School for the Blind and
14 Visually Impaired to be eligible; or

15 (2) limiting eligibility to a district or school
16 described by Subdivision (1) that hires a retired teacher or
17 educator, as applicable:

18 (A) who holds a certain certification;

19 (B) to teach a certain subject or grade;

20 (C) in a certain geographical area; or

21 (D) to provide instruction to certain students,
22 including to students with disabilities.

23 (c) The commissioner shall proportionally reduce the amount
24 of money awarded to school districts, open-enrollment charter
25 schools, the Windham School District, the Texas School for the
26 Deaf, and the Texas School for the Blind and Visually Impaired under
27 this section if the number of grant applications by eligible

1 districts or schools exceeds the number of grants the commissioner
2 could award with the money appropriated or otherwise available for
3 the purpose.

4 (d) A school district, an open-enrollment charter school,
5 the Windham School District, the Texas School for the Deaf, or the
6 Texas School for the Blind and Visually Impaired may use money
7 received under this section to make required payments under Section
8 825.4092, Government Code.

9 SECTION 2.15. Section 21.4552(f), Education Code, is
10 amended to read as follows:

11 (f) From money appropriated or otherwise available for the
12 purpose, including an allotment under Section 48.108, a school
13 district shall provide to each classroom teacher who holds an
14 intern with preservice experience certificate under Section
15 21.0412(a)(3) and completes a literacy achievement academy under
16 this section while employed by the district a one-time payment of
17 \$1,000 or another amount set by the agency [~~This section expires~~
18 ~~September 1, 2027~~].

19 SECTION 2.16. Section 21.4553(f), Education Code, is
20 amended to read as follows:

21 (f) From money appropriated or otherwise available for the
22 purpose, including an allotment under Section 48.108, a school
23 district shall provide to each classroom teacher who holds an
24 intern with preservice experience certificate under Section
25 21.0412(a)(3) and completes a mathematics achievement academy
26 under this section while employed by the district a one-time
27 payment of \$500 or another amount set by the agency [~~This section~~

1 ~~expires September 1, 2027]~~.

2 SECTION 2.17. Subchapter J, Chapter 21, Education Code, is
3 amended by adding Sections 21.466 and 21.467 to read as follows:

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

8 (1) strategic compensation, staffing, and scheduling
9 efforts that improve professional growth, teacher leadership
10 opportunities, and staff retention;

11 (2) programs that encourage high school students or
12 other members of the community in the area served by the district to
13 become teachers, including available teacher apprenticeship
14 programs; and

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

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

22 Sec. 21.467. TEACHER TIME STUDY. (a) From money
23 appropriated or otherwise available for the purpose, the agency
24 shall develop and maintain a technical assistance program to
25 support school districts and open-enrollment charter schools in:

26 (1) studying how the district's or school's staff and
27 student schedules, required noninstructional duties for classroom

1 teachers, and professional development requirements for educators
2 are affecting the amount of time classroom teachers work each week;
3 and

4 (2) refining the schedules for students or staff as
5 necessary to ensure teachers have sufficient time during normal
6 work hours to fulfill all job duties, including addressing the
7 needs of students.

8 (b) The agency shall periodically make findings and
9 recommendations for best practices publicly available using
10 information from participating school districts and
11 open-enrollment charter schools.

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

14 SUBCHAPTER R. PREPARING AND RETAINING EDUCATORS THROUGH PRESERVICE
15 PARTNERSHIP PROGRAM

16 Sec. 21.901. DEFINITIONS. In this subchapter:

17 (1) "Alternative partnership program" means the
18 Alternative Preservice Partnership Program established under
19 Section 21.905.

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

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

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

27 (B) is employed by a school district or

1 open-enrollment charter school participating in a preservice
2 partnership program under this subchapter and paired with a teacher
3 candidate at the district or school; and

4 (C) provides coaching to a teacher candidate in
5 the teacher's classroom.

6 (4) "Grow your own partnership program" means the Grow
7 Your Own Partnership Program established under Section 21.906.

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

10 (6) "Preservice partnership program" means the
11 Preparing and Retaining Educators through Preservice Partnership
12 Program established under Section 21.902.

13 (7) "Residency partnership program" means the
14 Residency Preservice Partnership Program established under Section
15 21.904.

16 (8) "Teacher candidate" means a person enrolled in an
17 educator preparation program participating in a program under the
18 preservice partnership program.

19 (9) "Traditional partnership program" means the
20 Traditional Preservice Partnership Program established under
21 Section 21.903.

22 Sec. 21.902. PREPARING AND RETAINING EDUCATORS THROUGH
23 PRESERVICE PARTNERSHIP PROGRAM. (a) The commissioner shall
24 establish the Preparing and Retaining Educators through Preservice
25 Partnership Program to enable educator preparation programs to form
26 partnerships with school districts and open-enrollment charter
27 schools to provide preservice practice opportunities in a

1 prekindergarten through grade 12 classroom for teacher candidates
2 at the district or school through the traditional partnership
3 program, the residency partnership program, or the alternative
4 partnership program.

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

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

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

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

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

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

21 (B) pair the teacher candidate with a cooperating
22 teacher who has successfully completed a training program for
23 cooperating teachers that, if required by the agency, must be
24 established or adopted by the agency;

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

27 (3) ensure that a teacher candidate is mentored by a

1 mentor teacher who has completed mentorship training under Section
2 21.907 for the candidate's first two years as a teacher of record
3 after completing a preservice partnership program; and

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

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

11 (e) A teacher candidate may not be employed by a school
12 district or open-enrollment charter school as a teacher while
13 completing preservice practice hours.

14 Sec. 21.903. TRADITIONAL PRESERVICE PARTNERSHIP PROGRAM.

15 (a) The commissioner shall establish the Traditional Preservice
16 Partnership Program as a preservice partnership program to enable
17 educator preparation programs that meet the traditional teacher
18 preparation requirements under Section 21.04421 to form
19 partnerships with school districts or open-enrollment charter
20 schools to help prepare candidates for a standard certificate.

21 (b) The program must be designed to:

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

24 (2) allow a teacher candidate to satisfy the
25 traditional teacher preparation requirements under Section
26 21.04421.

27 (c) A school district or open-enrollment charter school

1 participating in the traditional partnership program shall use
2 money received under Section 48.157(b)(1) only to provide
3 compensation to:

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

7 (2) cooperating teachers who are paired with teacher
8 candidates at the district or school in an amount of at least
9 \$1,000.

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

15 Sec. 21.904. RESIDENCY PRESERVICE PARTNERSHIP PROGRAM. (a)
16 The commissioner shall establish the Residency Preservice
17 Partnership Program as a preservice partnership program to enable
18 educator preparation programs that meet the teacher residency
19 standard preparation requirements under Section 21.04422 to form
20 partnerships with school districts or open-enrollment charter
21 schools to help prepare candidates for a residency standard
22 certificate.

23 (b) The program must be designed to:

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

26 (2) allow a teacher candidate to satisfy the teacher
27 residency standard preparation requirements under Section

1 21.04422.

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

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

9 (2) cooperating teachers who are paired with teacher
10 candidates at the district or school in an amount of at least
11 \$2,000.

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

16 (e) For the 2025-2026 school year, an educator preparation
17 program is not required to incorporate the instruction described by
18 Sections 21.0443(b)(3) and (4) to be eligible to participate in a
19 residency partnership program. This subsection expires September
20 1, 2026.

21 Sec. 21.905. ALTERNATIVE PRESERVICE PARTNERSHIP PROGRAM.

22 (a) The commissioner shall establish the Alternative Preservice
23 Partnership Program as a preservice partnership program to enable
24 educator preparation programs that meet the preservice alternative
25 teacher preparation requirements under Section 21.04423 to form
26 partnerships with school districts or open-enrollment charter
27 schools to help prepare candidates for an intern with preservice

1 experience certificate or standard certificate.

2 (b) The program must be designed to:

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

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

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

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

15 (2) cooperating teachers who are paired with teacher
16 candidates at the district or school in an amount of at least
17 \$1,000.

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

23 Sec. 21.906. GROW YOUR OWN PARTNERSHIP PROGRAM. (a) The
24 commissioner shall establish the Grow Your Own Partnership Program
25 to enable educator preparation programs, as determined by the
26 commissioner, to form partnerships with school districts or
27 open-enrollment charter schools to establish innovative staffing

1 pipelines to ensure the availability of high-quality educators to
2 benefit future district or school students.

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

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

8 (2) district or school employees who do not hold a
9 teaching certificate in completing an associate degree or the first
10 60 hours of a bachelor's degree to enable the person to become a
11 classroom teacher while employed by the district or school.

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

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

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

20 (A) authentic opportunities, which may be paid or
21 unpaid, for students to practice teaching under the supervision of
22 a cooperating teacher; and

23 (B) guidance and other transition supports as a
24 student begins an undergraduate degree program that offers a route
25 to teacher preparation;

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

1 (A) scheduled release time to complete an
2 associate degree or the first 60 hours of a bachelor's degree;

3 (B) authentic opportunities to practice teaching
4 under the supervision of a cooperating teacher;

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

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

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

12 (F) to enter into a written agreement with an
13 institution of higher education;

14 (3) require an employee participating in a partnership
15 described by Subsection (b)(2) to, as a condition for
16 participation, complete an educator preparation program within two
17 years of completion of an associate degree or the first 60 hours of
18 a bachelor's degree; and

19 (4) provide any information required by the agency
20 regarding the district's or school's implementation of the grow
21 your own partnership program.

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

26 (f) A school district or open-enrollment charter school may
27 only pair a student or employee participating in the program with a

1 cooperating teacher who agrees to participate in that role in a grow
2 your own partnership program at the district or school.

3 (g) A student or employee participating in the program may
4 not serve as a teacher of record.

5 Sec. 21.907. PREPARING AND RETAINING EDUCATORS THROUGH
6 PARTNERSHIP MENTORSHIP PROGRAM. (a) The commissioner shall
7 establish a preparing and retaining educators through partnership
8 mentorship program through which participating school districts
9 implement a mentoring program that meets the requirements of
10 Section 21.458 for classroom teachers who have less than two years
11 of teaching experience.

12 (b) A school district participating in the program must
13 require a classroom teacher who serves as a mentor teacher to
14 annually complete a training program for mentor teachers
15 established or adopted by the agency.

16 (c) A school district shall use money received under Section
17 48.157(b)(5) only to provide stipends for mentor teachers in an
18 amount of at least \$1,000.

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

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

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

27 Sec. 21.908. AGENCY SUPPORT. The agency shall provide

1 technical assistance, planning, and support to school districts,
2 open-enrollment charter schools, and educator preparation
3 programs, which must include:

4 (1) providing model forms and agreements a district,
5 school, or educator preparation program may use to comply with the
6 requirements of this subchapter;

7 (2) support for district and school strategic staffing
8 and compensation models to incentivize participation in a
9 partnership program;

10 (3) support for district, school, and educator
11 preparation program partners in implementing strong partnership
12 practices, including through participation in the grow your own
13 partnership program, and providing high-quality mentorship as
14 required under this subchapter; and

15 (4) support for educator preparation programs in
16 implementing the partnership programs under this subchapter.

17 Sec. 21.909. AUTHORITY TO ACCEPT CERTAIN MONEY. The
18 commissioner may solicit and accept gifts, grants, and donations
19 from public and private entities to use for the purposes of this
20 subchapter.

21 Sec. 21.910. RULES. The commissioner shall adopt rules as
22 necessary to implement this subchapter.

23 SECTION 2.19. Section 29.202(a), Education Code, is amended
24 to read as follows:

25 (a) A student is eligible to receive a public education
26 grant or to attend another public school in the district in which
27 the student resides under this subchapter if the student is

1 assigned to:

2 (1) attend a public school campus assigned an
3 unacceptable performance rating that is made publicly available
4 under Section 39.054; or

5 (2) a classroom teacher or substitute teacher who does
6 not hold an appropriate certification under Subchapter B, Chapter
7 21, as a teacher of record in a course in the foundation curriculum
8 under Section 28.002(a)(1) for more than 30 instructional days.

9 SECTION 2.20. Section 29.204, Education Code, is amended to
10 read as follows:

11 Sec. 29.204. NOTIFICATION. (a) Not later than January 1
12 of each year the commissioner shall, based on the most recent
13 information available, provide notice to each school district in
14 which a campus described by Section 29.202(a)(1) [~~29.202~~] is
15 located that:

16 (1) identifies each campus in the district that meets
17 the description in Section 29.202(a)(1) [~~29.202~~]; and

18 (2) informs the district that the district must comply
19 with Subsection (b).

20 (b) Not later than February 1 of each year, a school
21 district shall notify the parent of each student in the district
22 assigned to attend a campus described by Section 29.202(a)(1)
23 [~~29.202~~] that the student is eligible for a public education grant.
24 The notice must contain a clear, concise explanation of the public
25 education grant program and of the manner in which the parent may
26 obtain further information about the program.

27 SECTION 2.21. Subchapter D, Chapter 48, Education Code, is

1 amended by adding Section 48.157 to read as follows:

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

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

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

10 (A) \$10,000; and

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

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

15 (A) \$24,000; and

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

18 (3) for each teacher candidate completing preservice
19 practice hours at the district under Section 21.905, the sum of:

20 (A) \$10,000; and

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

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

25 (A) \$8,000; and

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

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

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

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

7 (2) 4.0.

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

13 (e) The Texas School for the Deaf and the Texas School for
14 the Blind and Visually Impaired are entitled to an allotment under
15 this section. If the commissioner determines that assigning point
16 values under Subsection (c) to students enrolled in the Texas
17 School for the Deaf or the Texas School for the Blind and Visually
18 Impaired is impractical, the commissioner may use the average point
19 value assigned for those students' home districts for purposes of
20 calculating the high needs and rural factor.

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

24 (1) 40 individuals under each of Subsections (b)(2),
25 (4), and (5); and

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

1 (g) For purposes of offsetting tuition, fees, and
2 administrative costs, using money to which a school district is
3 otherwise entitled under Subsection (b), the commissioner shall
4 provide to a teacher candidate's educator preparation program each
5 of the following applicable amounts and reduce the district's
6 allotment under that subsection accordingly:

7 (1) \$5,000 for each teacher candidate who completed a
8 partnership program under Section 21.903 who obtains a standard
9 certificate and has completed one year of employment with the
10 district;

11 (2) \$10,000 for each teacher candidate who completed a
12 partnership program under Section 21.904 who obtains a residency
13 standard certificate and has completed one year of employment with
14 the district; and

15 (3) \$2,500 for each teacher candidate participating in
16 the alternative preservice partnership program under Section
17 21.905 who holds an intern with preservice experience certificate
18 or intern certificate.

19 (h) The agency shall provide:

20 (1) \$4,000 of the money the school district is
21 entitled to receive under Subsection (b)(1) only on a teacher
22 candidate's successful completion of the requirements of a
23 partnership program under Section 21.903 by the deadline
24 established by the agency;

25 (2) \$12,000 of the money the school district is
26 entitled to receive under Subsection (b)(2) only on a teacher
27 candidate's successful completion of the requirements of a

1 partnership program under Section 21.904 by the deadline
2 established by the agency;

3 (3) \$4,000 of the money the school district is
4 entitled to receive under Subsection (b)(3) only on a district
5 employee's successful completion of the requirements of a
6 partnership program under Section 21.905 by the deadline
7 established by the agency and issuance of an intern with preservice
8 experience certificate; and

9 (4) 50 percent of the money the school district is
10 entitled to receive under Subsection (b)(4) only on a district
11 employee's successful completion of the requirements of a
12 partnership program described by Section 21.906(b)(2) by the
13 deadline established by the agency.

14 SECTION 2.22. Subchapter G, Chapter 48, Education Code, is
15 amended by adding Section 48.310 to read as follows:

16 Sec. 48.310. ALLOTMENT FOR COMPLETION OF TEACHER LITERACY
17 OR MATHEMATICS ACHIEVEMENT ACADEMIES. An educator preparation
18 program that offers a teacher preparation route described by
19 Section 21.04421, 21.04422, or 21.04423(1) is entitled to an annual
20 allotment for each teacher candidate who completes a literacy
21 achievement academy or mathematics achievement academy under
22 Section 21.4552 or 21.4553 approved by the agency for the purpose in
23 the amount of:

24 (1) \$1,000, or a greater amount set by appropriation
25 for that school year, for the completion of a literacy achievement
26 academy; or

27 (2) \$500, or a greater amount set by appropriation for

1 that school year, for the completion of a mathematics achievement
2 academy.

3 SECTION 2.23. (a) The following provisions of the
4 Education Code are repealed:

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

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

9 SECTION 2.24. Section 12A.004(a), Education Code, as
10 amended by this article, applies to each local innovation plan
11 adopted under Chapter 12A, Education Code, regardless of whether
12 the plan was adopted before, on, or after the effective date of this
13 article. A local innovation plan adopted or renewed before the
14 effective date of this article must comply with Section 12A.004(a),
15 Education Code, as amended by this article, not later than
16 September 1, 2025.

17 SECTION 2.25. (a) The State Board for Educator
18 Certification, in collaboration with the commissioner of
19 education, shall develop a transition plan to implement changes
20 related to educator preparation programs under this article.

21 (b) The transition plan developed under Subsection (a) of
22 this section shall, to the greatest extent possible, align changes
23 related to educator preparation programs under this article with:

- 24 (1) available funding; and
- 25 (2) available support for teacher candidates and
- 26 educator preparation programs under the Preparing and Retaining
- 27 Educators through Preservice Partnership Program under Subchapter

1 R, Chapter 21, Education Code, as added by this article.

2 (c) The transition plan must identify how to apply changes
3 to requirements for educator preparation programs to cohorts of
4 candidates seeking certification under Chapter 21, Education Code,
5 as amended by this article, after the effective date of that
6 chapter.

7 (d) The changes made by this article to educator preparation
8 programs apply beginning January 1, 2026.

9 ARTICLE 3. SPECIAL EDUCATION

10 SECTION 3.01. Section 7.021(b)(10), Education Code, is
11 amended to read as follows:

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

16 SECTION 3.02. Section 7.055(b)(25), Education Code, is
17 amended to read as follows:

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

22 SECTION 3.03. Section 8.051(d), Education Code, is amended
23 to read as follows:

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

27 (1) training and assistance in:

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

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

5 (2) training and assistance in providing each program
6 that qualifies for a funding allotment under Section 48.102,
7 48.1021, 48.103, 48.104, 48.105, or 48.109;

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

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

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

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

19 SECTION 3.04. Sections 28.025(c-7) and (c-8), Education
20 Code, are amended to read as follows:

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

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

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

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

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

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

12 (A) without modification of the curriculum; or

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

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

24 SECTION 3.05. Section 29.001, Education Code, is amended to
25 read as follows:

26 Sec. 29.001. IMPLEMENTATION OF SPECIAL EDUCATION
27 LAW [STATEWIDE PLAN]. (a) As the state education agency

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

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

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

19 (1) rulemaking, technical assistance, guidance
 20 documents, monitoring protocols, data elements necessary for
 21 statewide reporting, and other resources as necessary to implement
 22 and ensure compliance with federal and state law related to special
 23 education [~~ensure state compliance with requirements for~~
 24 ~~supplemental federal funding for all state-administered programs~~
 25 ~~involving the delivery of instructional or related services to~~
 26 ~~students with disabilities];~~

27 (2) the facilitation of [~~facilitate~~] interagency

1 coordination when other state agencies are involved in the delivery
2 of instructional or related services to students with disabilities;

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

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

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

1 and

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

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

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

14 (C) appropriately trained personnel are
15 available to students with disabilities who have significant
16 behavioral support needs, including by requiring behavioral
17 support training programs for each paraprofessional or teacher
18 placed in a classroom or other setting that is intended to provide
19 specialized behavioral supports to a student with a disability, as
20 needed or at regular intervals as provided in the student's
21 individualized education program;

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

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

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

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

11 (i) [~~(A)~~] complete a training program that
12 complies with minimum standards established by agency rule;

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

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

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

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

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

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

27 (H) [~~(11)~~ ensure that] each district develops a

1 process to be used by a teacher who instructs a student with a
2 disability in a general education [~~regular~~] classroom setting:

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

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

7 (iii) [~~(C)~~] that provides for a timely
8 district response to the teacher's request; and

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

11 SECTION 3.06. Subchapter A, Chapter 29, Education Code, is
12 amended by adding Section 29.0012 to read as follows:

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

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

26 SECTION 3.07. Section 29.003, Education Code, is amended to
27 read as follows:

1 Sec. 29.003. ELIGIBILITY CRITERIA. (a) The agency shall
2 develop specific eligibility criteria based on the general
3 classifications established by this section and in accordance with
4 federal law [~~with reference to contemporary diagnostic or~~
5 ~~evaluative terminologies and techniques~~]. Eligible students with
6 disabilities shall enjoy the right to a free appropriate public
7 education, which may include instruction in the general education
8 [~~regular~~] classroom, instruction through special teaching, or
9 instruction through contracts approved under this subchapter.
10 Instruction shall be supplemented by the provision of related
11 services when appropriate.

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

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

20 (2) from three years of age through nine years of age
21 if the student is experiencing developmental delays as described by
22 20 U.S.C. Section 1401(3)(B) and defined by commissioner rule; or

23 (3) from 3 years of age through [~~is at least three but~~
24 ~~not more than~~] 21 years of age if the student [~~and~~] has one or more
25 of the [~~following~~] disabilities described by 20 U.S.C. Section
26 1401(3)(A) and that disability prevents the student from being
27 adequately or safely educated in public school without the

1 provision of special education services[+]

2 [~~(A) physical disability,~~

3 [~~(B) intellectual or developmental disability,~~

4 [~~(C) emotional disturbance,~~

5 [~~(D) learning disability,~~

6 [~~(E) autism,~~

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

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

9 SECTION 3.08. Sections 29.005(a), (d), and (e), Education
10 Code, are amended to read as follows:

11 (a) Before a child is enrolled in a special education
12 program of a school district, the district shall establish a
13 committee composed of the persons required under 20 U.S.C. Section
14 1414(d) to develop the child's individualized education program.
15 If a committee is required to include a general [~~regular~~] education
16 teacher, the [~~regular education~~] teacher included must, to the
17 extent practicable, be a teacher who is responsible for
18 implementing a portion of the child's individualized education
19 program.

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

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

27 (2) if the parent's primary [~~native~~] language is a

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

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

12 SECTION 3.09. Section [29.0051](#), Education Code, is amended
13 by adding Subsection (d) to read as follows:

14 (d) From federal money available for the purpose, the
15 commissioner may develop or procure the model form developed under
16 Subsection (a) in a digital format. If the commissioner develops or
17 procures the model form in a digital format, the commissioner shall
18 adopt rules regarding school district use of the form in that
19 format.

20 SECTION 3.10. Subchapter [A](#), Chapter [29](#), Education Code, is
21 amended by adding Section 29.0056 to read as follows:

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

25 (b) The Health and Human Services Commission, in
26 collaboration with the agency and stakeholders who represent the
27 full continuum of educational residential placement options, shall

1 develop and provide to the agency materials regarding educational
2 residential placement options for children who may qualify for
3 placement in a state supported living center. The agency shall make
4 the materials developed under this subsection available to school
5 districts.

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

10 SECTION 3.11. Sections 29.006(a) and (c), Education Code,
11 are amended to read as follows:

12 (a) The governor shall appoint a continuing advisory
13 committee consistent with [~~composed of 17 members, under~~] 20
14 U.S.C. Section 1412(a)(21). At least one member appointed under
15 this subsection must be a director of special education programs
16 for a school district.

17 (c) Members of the committee are appointed for staggered
18 terms of four years with the terms of half of the [~~eight or nine~~]
19 members or, for an odd number of members, half of the members
20 rounded down or half of the members rounded up expiring on February
21 1 of each odd-numbered year.

22 SECTION 3.12. Section 29.008, Education Code, is amended to
23 read as follows:

24 Sec. 29.008. CONTRACTS FOR SERVICES; RESIDENTIAL AND DAY
25 PLACEMENT PROGRAMS. (a) The commissioner shall set minimum
26 standards for and develop and update as necessary a list of approved
27 public or private facilities, institutions, agencies, or

1 businesses inside or outside of this state that a [A] school
2 district, shared services arrangement unit, or regional education
3 service center may contract with ~~[a public or private facility,~~
4 ~~institution, or agency inside or outside of this state]~~ for the
5 provision of services to students with disabilities in a
6 residential or day placement program.

7 (a-1) ~~[Each contract for residential placement must be~~
8 ~~approved by the commissioner.]~~ The commissioner may approve a
9 facility, institution, agency, or business under Subsection (a)
10 ~~[residential placement contract]~~ only after at least a programmatic
11 evaluation of personnel qualifications, costs, adequacy of
12 physical plant and equipment, and curriculum content. ~~[The~~
13 ~~commissioner may approve either the whole or a part of a facility or~~
14 ~~program.]~~

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

22 (b) Except as provided by Subsection (c), costs of an
23 approved contract for residential placement may be paid from a
24 combination of federal, state, and local funds. The local share of
25 the total contract cost for each student is that portion of the
26 local tax effort that exceeds the district's local fund assignment
27 under Section 48.256, divided by the average daily attendance in

1 the district. If the contract involves a private facility, the
2 state share of the total contract cost is that amount remaining
3 after subtracting the local share. If the contract involves a
4 public facility, the state share is that amount remaining after
5 subtracting the local share from the portion of the contract that
6 involves the costs of instructional and related services. For
7 purposes of this subsection, "local tax effort" means the total
8 amount of money generated by taxes imposed for debt service and
9 maintenance and operation less any amounts paid into a tax
10 increment fund under Chapter 311, Tax Code. This subsection
11 expires September 1, 2027.

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

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

1 expectations that the student would need to meet to be reintegrated
2 to a regular school setting. An approved facility, institution,
3 [~~or~~] agency, or business with whom the district contracts shall
4 periodically report to the district and the agency on the services
5 the student has received or will receive in accordance with the
6 contract as well as diagnostic or other evaluative information that
7 the district or agency requires in order to fulfill its obligations
8 under this subchapter.

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

11 SECTION 3.13. The heading to Section 29.009, Education
12 Code, is amended to read as follows:

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

16 SECTION 3.14. Section 29.010, Education Code, is amended to
17 read as follows:

18 Sec. 29.010. GENERAL SUPERVISION AND COMPLIANCE. (a) The
19 agency shall develop [~~adopt~~] and implement a comprehensive system
20 for monitoring school district compliance with federal and state
21 laws relating to special education. The monitoring system must
22 include a comprehensive cyclical process and a targeted risk-based
23 process [~~provide for ongoing analysis of district special education~~
24 ~~data and of complaints filed with the agency concerning special~~
25 ~~education services and for inspections of school districts at~~
26 ~~district facilities~~]. The agency shall establish criteria and
27 instruments for use in determining district compliance under this

1 section [~~use the information obtained through analysis of district~~
2 ~~data and from the complaints management system to determine the~~
3 ~~appropriate schedule for and extent of the inspection].~~

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

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

15 (c) The agency shall develop and implement a system of
16 interventions and sanctions for school districts the agency
17 identifies as being in noncompliance with [~~whose most recent~~
18 ~~monitoring visit shows a failure to comply with major requirements~~
19 ~~of]~~ the Individuals with Disabilities Education Act (20 U.S.C.
20 Section 1400 et seq.), federal regulations, state statutes, or
21 agency requirements necessary to carry out federal law or
22 regulations or state law relating to special education.

23 (d) The agency shall establish a system of progressive
24 sanctions and enforcement provisions to apply to [~~For]~~ districts
25 that remain in noncompliance for more than one year[~~, the first~~
26 ~~stage of sanctions shall begin with annual or more frequent~~
27 ~~monitoring visits]. The [~~Subsequent~~] sanctions must [~~may~~] range in~~

1 severity and may include ~~[up to]~~ the withholding of funds. If funds
2 are withheld, the agency may use the funds, or direct the funds to
3 be used, to provide, through alternative arrangements, services to
4 students and staff members in the district from which the funds are
5 withheld.

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

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

15 SECTION 3.15. Section 29.012(d), Education Code, is amended
16 to read as follows:

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

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

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

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

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

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

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

12 SECTION 3.16. Section 29.013, Education Code, is amended to
13 read as follows:

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

25 (b) A grant [~~The funds~~] may be awarded under this section
26 [~~used~~] only to a student with a disability [~~for eligible students~~
27 ~~with disabilities~~] who is [~~would remain or would have to be~~] placed

1 by the student's admission, review, and dismissal committee in a
2 residential or day placement program approved under Section 29.008
3 ~~[facilities primarily for educational reasons without the~~
4 ~~provision of noneducational community-based support services]~~.

5 (c) The support services may not be related to the provision
6 of a free appropriate public education to the student and may
7 include in-home family support, behavioral and other
8 disability-related supports for the student's family, respite
9 care, and case management for the student's family ~~[families with a~~
10 ~~student who otherwise would have been placed by a district in a~~
11 ~~private residential facility]~~.

12 (d) A school district shall:

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

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

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

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

27 (g) The provision of services under this section does not

1 supersede or limit the responsibility of a school district or other
2 agencies to provide or pay for costs [~~of noneducational~~
3 ~~community-based support services~~] to enable any student with
4 disabilities to receive a free appropriate public education in the
5 least restrictive environment. [~~Specifically, services provided~~
6 ~~under this section may not be used for a student with disabilities~~
7 ~~who is currently placed or who needs to be placed in a residential~~
8 ~~facility primarily for noneducational reasons.~~]

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

11 SECTION 3.17. Sections 29.014(c) and (d), Education Code,
12 are amended to read as follows:

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

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

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

23 (d) The basic allotment for a student enrolled in a district
24 to which this section applies is adjusted by the tier of intensity
25 of service defined in accordance with [~~weight for a homebound~~
26 ~~student under~~] Section 48.102 and designated by commissioner rule
27 for use under this section [~~48.102(a)~~].

1 SECTION 3.18. Section 29.0162(b), Education Code, is
2 amended to read as follows:

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

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

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

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

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

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

17 (B) federal and state special education laws;

18 (3) require, if the representative receives monetary
19 compensation from a person for representation in an impartial due
20 process hearing, that the representative agree to abide by a
21 voluntary code of ethics and professional conduct during the period
22 of representation; and

23 (4) require, if the representative receives monetary
24 compensation from a person for representation in an impartial due
25 process hearing, that the representative enter into a written
26 agreement for representation with the person who is the subject of
27 the special education due process hearing that includes a process

1 for resolving any disputes between the representative and the
2 person.

3 SECTION 3.19. Section 29.018(b), Education Code, is amended
4 to read as follows:

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

7 (1) the district does not receive sufficient funds,
8 including state funds provided under Sections [~~Section~~] 48.102 and
9 48.1021 and federal funds, for a student with disabilities to pay
10 for the special education services provided to the student; or

11 (2) the district does not receive sufficient funds,
12 including state funds provided under Sections [~~Section~~] 48.102 and
13 48.1021 and federal funds, for all students with disabilities in
14 the district to pay for the special education services provided to
15 the students.

16 SECTION 3.20. The heading to Section 29.020, Education
17 Code, is amended to read as follows:

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

20 SECTION 3.21. Sections 29.020(a) and (c), Education Code,
21 are amended to read as follows:

22 (a) The agency shall develop rules in accordance with this
23 section applicable to state-administered [~~the administration of a~~
24 ~~state~~] individualized education program facilitation [~~project~~].
25 The program shall include the provision of an independent
26 individualized education program facilitator as a dispute
27 resolution method that may be used to avoid a potential dispute

1 between a school district and a parent of a student with a
2 disability or to facilitate an admission, review, and dismissal
3 committee meeting with parties who are in a dispute about decisions
4 relating to the provision of a free appropriate public education to
5 a student with a disability. Facilitation [~~implemented under the~~
6 ~~project~~] must comply with rules developed under this subsection.

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

11 SECTION 3.22. Sections 29.022(a), (a-1), (b), (c), (c-1),
12 (d), (f), (h), (k), (l), (q), (s), and (t), Education Code, are
13 amended to read as follows:

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

27 (1) a school or campus that receives equipment as a

1 result of the request by a parent or staff member is required to
2 place equipment only in classrooms or settings in which the
3 parent's child is in regular attendance or to which the staff member
4 is assigned, as applicable; and

5 (2) a school or campus that receives equipment as a
6 result of the request by a board of trustees, governing body,
7 principal, or assistant principal is required to place equipment
8 only in classrooms or settings identified by the requestor, if the
9 requestor limits the request to specific classrooms or settings
10 subject to this subsection.

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

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

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

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

1 (4) a staff member assigned to work with one or more
2 children receiving special education services in special education
3 [~~self-contained~~] classrooms or other special education settings
4 may request in writing that equipment be provided to the school or
5 campus at which the staff member works.

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

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

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

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

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

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

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

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

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

26 (2) use video recorded under this section for teacher
27 evaluation or for any other purpose other than the promotion of

1 safety of students receiving special education services in a
2 special education [~~self-contained~~] classroom or other special
3 education setting.

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

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

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

15 (2) require that the district or school provide a
16 response to a request made under this section not later than the
17 seventh school business day after receipt of the request by the
18 person to whom it must be submitted under Subsection (a-3) that
19 authorizes the request or states the reason for denying the
20 request;

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

27 (4) permit the parent of a student whose admission,

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

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

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

11 (5) if a request is made by a parent in compliance with
12 Subdivision (4), unless the agency grants an extension of time,
13 require that a school or campus begin operation of a video camera in
14 compliance with this section not later than the later of:

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

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

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

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

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

5 SECTION 3.23. Sections 29.022(u)(3) and (4), Education
6 Code, are amended to read as follows:

7 (3) "Special education classroom or other special
8 education setting" means a classroom or setting primarily used for
9 delivering special education services to students who spend on
10 average less than 50 percent of an instructional day in a general
11 education classroom or setting [~~"Self-contained classroom" does~~
12 ~~not include a classroom that is a resource room instructional~~
13 ~~arrangement under Section 48.102~~].

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

18 SECTION 3.24. Subchapter A, Chapter 29, Education Code, is
19 amended by adding Sections 29.023, 29.024, 29.025, and 29.026 to
20 read as follows:

21 Sec. 29.023. GRANT PROGRAM PROVIDING SERVICES TO STUDENTS
22 WITH AUTISM. (a) The commissioner shall establish a program to
23 award grants to school districts and open-enrollment charter
24 schools that provide innovative services to students with autism.

25 (b) A school district, including a school district acting
26 through a district charter issued under Subchapter C, Chapter 12,
27 and an open-enrollment charter school, including a charter school

1 that primarily serves students with disabilities, as provided under
2 Section 12.1014, may apply for a grant under this section.

3 (c) A program is eligible for a grant under this section if
4 the program:

5 (1) incorporates:

6 (A) evidence-based and research-based design;

7 (B) the use of empirical data on student
8 achievement and improvement;

9 (C) parental support and collaboration;

10 (D) the use of technology;

11 (E) meaningful inclusion; and

12 (F) the ability to replicate the program for
13 students statewide; and

14 (2) gives priority for enrollment to students with
15 autism.

16 (d) A school district or open-enrollment charter school may
17 not:

18 (1) charge a fee for the program, other than those
19 authorized by law for students in public schools;

20 (2) require a parent to enroll a child in the program;

21 (3) allow an admission, review, and dismissal
22 committee to place a student in the program without the written
23 consent of the student's parent or guardian; or

24 (4) continue the placement of a student in the program
25 after the student's parent or guardian revokes consent, in writing,
26 to the student's placement in the program.

27 (e) A program under this section may:

1 (1) alter the length of the school day or school year
2 or the number of minutes of instruction received by students;

3 (2) coordinate services with private or
4 community-based providers;

5 (3) allow the enrollment of students without
6 disabilities or with other disabilities, if approved by the
7 commissioner; and

8 (4) adopt staff qualifications and staff-to-student
9 ratios that differ from the applicable requirements of this title.

10 (f) The commissioner shall create an external panel of
11 stakeholders, including parents of students with disabilities, to
12 provide assistance in the selection of applications for the award
13 of grants under this section.

14 (g) In selecting programs to receive a grant under this
15 section, the commissioner shall prioritize programs that are
16 collaborations between multiple school districts, multiple charter
17 schools, or school districts and charter schools. The selected
18 programs must reflect the diversity of this state.

19 (h) A program selected to receive a grant under this section
20 is to be funded for two years.

21 (i) A grant awarded to a school district or open-enrollment
22 charter school under this section is in addition to the Foundation
23 School Program money that the district or charter school is
24 otherwise entitled to receive. A grant awarded under this section
25 may not come out of Foundation School Program money.

26 (j) The commissioner shall use money appropriated or
27 otherwise available to fund grants under this section.

1 (k) The commissioner and any program selected under this
2 section may accept gifts, grants, and donations from any public or
3 private source, person, or group to implement and administer the
4 program. The commissioner and any program selected under this
5 section may not require any financial contribution from parents to
6 implement and administer the program.

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

9 Sec. 29.024. GRANT PROGRAM PROVIDING TRAINING IN DYSLEXIA
10 FOR TEACHERS AND STAFF. (a) The commissioner shall establish a
11 program to award grants to school districts and open-enrollment
12 charter schools to increase local capacity to appropriately serve
13 students with dyslexia.

14 (b) A school district, including a school district acting
15 through a district charter issued under Subchapter C, Chapter 12,
16 or an open-enrollment charter school, including a charter school
17 that primarily serves students with disabilities, as provided under
18 Section 12.1014, is eligible to apply for a grant under this section
19 if the district or school submits to the commissioner a proposal on
20 the use of grant funds that:

21 (1) incorporates evidence-based and research-based
22 design; and

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

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

27 or

1 (B) training to intervention staff resulting in
2 appropriate credentialing related to dyslexia.

3 (c) The commissioner shall create an external panel of
4 stakeholders, including parents of students with disabilities, to
5 provide assistance in the selection of applications for the award
6 of grants under this section.

7 (d) A grant under this section is to be awarded for two
8 years.

9 (e) A grant awarded to a school district or open-enrollment
10 charter school under this section is in addition to the Foundation
11 School Program money that the district or charter school is
12 otherwise entitled to receive. A grant awarded under this section
13 may not come out of Foundation School Program money.

14 (f) The commissioner shall use money appropriated or
15 otherwise available to fund grants under this section.

16 (g) The commissioner and any grant recipient selected under
17 this section may accept gifts, grants, and donations from any
18 public or private source, person, or group to implement and
19 administer the grant. The commissioner and any grant recipient
20 selected under this section may not require any financial
21 contribution from parents to implement and administer the grant.

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

24 Sec. 29.025. SUPPORTS FOR RECRUITING SPECIAL EDUCATION
25 STAFF. (a) From money appropriated or otherwise available for the
26 purpose, the agency shall provide grants to school districts and
27 open-enrollment charter schools to increase the number of qualified

1 and appropriately credentialed special education staff, including
2 special education teachers, special education paraprofessionals,
3 evaluation personnel, ancillary instruction personnel, and related
4 service personnel.

5 (b) A school district or open-enrollment charter school
6 that receives a grant under this section shall require each person
7 the district or school uses the grant money to assist in becoming
8 licensed, certified, or otherwise credentialed as described by
9 Subsection (a) to work at the district or school for a period
10 established by commissioner rule.

11 (c) The commissioner shall adopt rules establishing the
12 period of required employment described by Subsection (b) and any
13 other rules necessary to implement this section.

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

16 SECTION 3.25. The heading to Subchapter A-1, Chapter 29,
17 Education Code, is amended to read as follows:

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

21 SECTION 3.26. Sections 29.041(2) and (3), Education Code,
22 are amended to read as follows:

23 (2) "Supplemental [~~special education~~] instructional
24 materials" includes textbooks, computer hardware or software,
25 other technological devices, and other materials suitable for
26 addressing an educational need of a student receiving special
27 education services under Subchapter A.

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

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

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

9 SECTION 3.27. Section 29.042, Education Code, is amended by
10 amending Subsections (a) and (c) and adding Subsection (e) to read
11 as follows:

12 (a) The agency by rule shall establish and administer a
13 parent-directed [~~supplemental special education services and~~
14 ~~instructional materials~~] program for students receiving special
15 education services through which a parent may direct supplemental
16 services and supplemental instructional materials for the parent's
17 student [~~students~~] who meets [~~meet~~] the eligibility requirements
18 for participation in the program. Subject to Subsection (c), the
19 agency shall provide each student approved as provided by this
20 subchapter a grant in the amount provided under Section 48.306 [~~of~~
21 ~~not more than \$1,500~~] to purchase supplemental [~~special education~~]
22 services and supplemental [~~special education~~] instructional
23 materials.

24 (c) A student may receive one grant under this subchapter
25 unless the legislature appropriates money for an additional grant
26 in the General Appropriations Act [~~The commissioner shall set aside~~
27 ~~an amount set by appropriation for each state fiscal year to fund~~

1 ~~the program under this section. For each state fiscal year, the~~
2 ~~total amount provided for student grants under Subsection (a) may~~
3 ~~not exceed the amount set aside by the commissioner under this~~
4 ~~subsection].~~

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

8 SECTION 3.28. Section 29.045, Education Code, is amended to
9 read as follows:

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

19 SECTION 3.29. Sections 29.046(a) and (b), Education Code,
20 are amended to read as follows:

21 (a) Money in an account assigned to a student under Section
22 29.045 may be used only for supplemental ~~[special—education]~~
23 services and supplemental ~~[special—education]~~ instructional
24 materials.

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

27 SECTION 3.30. Sections 29.047(a), (c), (d), and (e),

1 Education Code, are amended to read as follows:

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

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

9 (d) The agency may establish criteria for agency approval of
10 vendors for each category of supplemental [~~special education~~]
11 instructional materials identified by the agency.

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

17 SECTION 3.31. Section 29.048, Education Code, is amended to
18 read as follows:

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

27 (b) Unless the district first verifies that an account has

1 been assigned to the student under Section 29.045, the [The]
2 admission, review, and dismissal committee of a student approved
3 for participation in the program shall provide to the student's
4 parent at an admission, review, and dismissal committee meeting for
5 the student:

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

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

13 SECTION 3.32. Subchapter A-1, Chapter 29, Education Code,
14 is amended by adding Section 29.0485 to read as follows:

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

18 SECTION 3.33. Section 29.049, Education Code, is amended to
19 read as follows:

20 Sec. 29.049. RULES. The commissioner shall adopt rules as
21 necessary to administer the supplemental ~~[special education]~~
22 services and supplemental instructional materials program under
23 this subchapter.

24 SECTION 3.34. Section 29.153, Education Code, is amended by
25 amending Subsection (b) and adding Subsection (b-1) to read as
26 follows:

27 (b) A child is eligible for enrollment in a prekindergarten

1 class under this section if the child is at least three years of age
2 and:

3 (1) is unable to speak and comprehend the English
4 language;

5 (2) is educationally disadvantaged;

6 (3) is homeless, regardless of the residence of the
7 child, of either parent of the child, or of the child's guardian or
8 other person having lawful control of the child;

9 (4) is the child of an active duty member of the armed
10 forces of the United States, including the state military forces or
11 a reserve component of the armed forces, who is ordered to active
12 duty by proper authority;

13 (5) is the child of a member of the armed forces of the
14 United States, including the state military forces or a reserve
15 component of the armed forces, who was injured or killed while
16 serving on active duty;

17 (6) is or ever has been in:

18 (A) the conservatorship of the Department of
19 Family and Protective Services following an adversary hearing held
20 as provided by Section [262.201](#), Family Code; or

21 (B) foster care in another state or territory, if
22 the child resides in this state; [~~or~~]

23 (7) is the child of a person eligible for the Star of
24 Texas Award as:

25 (A) a peace officer under Section [3106.002](#),
26 Government Code;

27 (B) a firefighter under Section [3106.003](#),

1 Government Code; or

2 (C) an emergency medical first responder under
3 Section 3106.004, Government Code; or

4 (8) is a child eligible for special education services
5 under Subchapter A and the child's admission, review, and dismissal
6 committee determines the prekindergarten class to be the most
7 appropriate placement for the child under the child's
8 individualized education program.

9 (b-1) A child described by Subsection (b)(8) who is at least
10 three years of age but younger than four years of age may be
11 enrolled in a prekindergarten class offered to children who are at
12 least four years of age if:

13 (1) the school district does not offer a
14 prekindergarten program for children who are at least three years
15 of age; and

16 (2) the child's admission, review, and dismissal
17 committee determines the prekindergarten class to be the most
18 appropriate placement for the child under the child's
19 individualized education program.

20 SECTION 3.35. Section 29.301(1), Education Code, is amended
21 to read as follows:

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

27 SECTION 3.36. Sections 29.304(a) and (c), Education Code,

1 are amended to read as follows:

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

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

14 SECTION 3.37. Section [29.310](#), Education Code, is amended by
15 amending Subsection (c) and adding Subsection (d) to read as
16 follows:

17 (c) The procedures and materials for the assessment and
18 placement of a student who is deaf or hard of hearing shall be in the
19 student's preferred mode of communication. All other procedures
20 and materials used with any student who is deaf or hard of hearing
21 and who is an emergent bilingual student as defined by Section
22 [29.052](#) [~~has limited English proficiency~~] shall be in the student's
23 preferred mode of communication.

24 (d) In recognizing the need for development of language and
25 communication abilities in students who are deaf or hard of hearing
26 but also calling for the use of methods of communication that will
27 meet the needs of each individual student, each student who is deaf

1 or hard of hearing must be thoroughly assessed to ascertain the
2 student's potential for communicating through a variety of means.

3 SECTION 3.38. Section 29.313, Education Code, is amended to
4 read as follows:

5 Sec. 29.313. EVALUATION OF DEAF AND HARD OF HEARING
6 SERVICES [~~PROGRAMS~~]. (a) Each school district must provide
7 continuous evaluation of the effectiveness of the district's
8 services [~~programs of the district~~] for students who are deaf or
9 hard of hearing. The [~~If practicable,~~] evaluations shall follow
10 program excellence indicators established by the agency.

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

13 SECTION 3.39. Section 29.314, Education Code, is amended to
14 read as follows:

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

26 (1) to integrate the student into the general
27 [~~regular~~] education program and specify the nature of each activity

1 and the time spent on the activity each day; and

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

5 SECTION 3.40. Section 29.315, Education Code, is amended to
6 read as follows:

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

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

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

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

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

23 [~~5~~] the type of information the school shall be
24 required to provide through the Public Education Information
25 Management System (PEIMS).

26 SECTION 3.41. Section 29.316, Education Code, is amended to
27 read as follows:

1 Sec. 29.316. LANGUAGE ACQUISITION. (a) In this section,

2 "language [+

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

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

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

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

20 (c) On a schedule determined by the commissioner, each
21 school district shall report to the commissioner through the Public
22 Education Information Management System (PEIMS) or another method
23 set by commissioner rule the assessment data collected under
24 Subsection (b) ~~[Not later than August 31 of each year, the agency,~~
25 ~~the division, and the center jointly shall prepare and post on the~~
26 ~~agency's, the division's, and the center's respective Internet~~
27 ~~websites a report on the language acquisition of children eight~~

1 ~~years of age or younger who are deaf or hard of hearing. The report~~
2 ~~must:~~

3 ~~(1) include:~~

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

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

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

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

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

15 ~~(i) the time spent providing those~~
16 ~~services; and~~

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

19 ~~(a) the type of hearing~~
20 ~~amplification used;~~

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

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

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

27 ~~(D) the preferred unique communication mode~~

1 ~~used by the child at home; and~~

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

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

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

14 (d) The commissioner ~~[, the executive commissioner of the~~
15 ~~Health and Human Services Commission, and the center]~~ shall adopt
16 rules establishing the assessment data required to be reported
17 under Subsection (c) ~~[enter into a memorandum of understanding~~
18 ~~regarding:~~

19 ~~[(1) the identification of experts in deaf education;~~
20 ~~and~~

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

26 (e) The commissioner shall annually post on the agency's
27 Internet website a report on the language acquisition of children

1 eight years of age or younger who are deaf or hard of hearing using
2 the assessment data reported under Subsection (c) [~~agency shall use~~
3 ~~existing collected data and data collected and transferred from the~~
4 ~~Department of State Health Services and the Health and Human~~
5 ~~Services Commission, as agreed upon in the memorandum of~~
6 ~~understanding, for the report under this section)].~~

7 (f) The commissioner shall use the assessment data reported
8 under Subsection (c) in determining whether to award a grant under
9 Section 29.018 or in seeking federal money available for projects
10 aimed at improving outcomes for students with disabilities [~~and the~~
11 ~~executive commissioner of the Health and Human Services Commission~~
12 ~~jointly shall adopt rules as necessary to implement this section,~~
13 ~~including rules for:~~

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

19 [~~(2) implementing this section in a manner that~~
20 ~~complies with federal law regarding confidentiality of student~~
21 ~~medical or educational information, including the Health Insurance~~
22 ~~Portability and Accountability Act of 1996 (42 U.S.C. Section 1320d~~
23 ~~et seq.) and the Family Educational Rights and Privacy Act of 1974~~
24 ~~(20 U.S.C. Section 1232g), and any state law relating to the privacy~~
25 ~~of student information)].~~

26 SECTION 3.42. The heading to Section 30.002, Education
27 Code, is amended to read as follows:

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

4 SECTION 3.43. Sections 30.002(a), (b), (c), and (e),
5 Education Code, are amended to read as follows:

6 (a) The agency shall develop and administer a comprehensive
7 statewide plan for the education of children [~~with visual~~
8 ~~impairments~~] who are under 22 [~~21~~] years of age and who have visual
9 impairments, are deaf or hard of hearing, or are deaf-blind that
10 will ensure that the children have an opportunity for achievement
11 equal to the opportunities afforded their peers who do not have
12 visual impairments, are not deaf or hard of hearing, or are not
13 deaf-blind [~~with normal vision~~].

14 (b) The agency shall:

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

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

24 (3) [~~develop and administer special education~~
25 ~~services for students with both serious visual and auditory~~
26 ~~impairments,~~

27 [~~(4) evaluate special education services provided for~~

1 ~~children with visual impairments by school districts and approve or~~
2 ~~disapprove state funding of those services; and~~

3 ~~(5)~~ maintain an effective liaison between special
4 education programs provided for children who have visual
5 impairments, are deaf or hard of hearing, or are deaf-blind ~~[with~~
6 ~~visual impairments]~~ by school districts and related initiatives of
7 the Health and Human Services Commission, ~~[the Department of State~~
8 ~~Health Services Mental Health and Substance Abuse Division,]~~ the
9 Texas Workforce Commission, and other related programs, agencies,
10 or facilities as appropriate.

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

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

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

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

27 (4) include information regarding the establishment

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

6 [~~(A) evaluation of the impairment; and~~

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

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

15 [~~(ii) orientation and mobility;~~

16 [~~(iii) social interaction skills;~~

17 [~~(iv) career planning;~~

18 [~~(v) assistive technology, including~~
19 ~~optical devices;~~

20 [~~(vi) independent living skills;~~

21 [~~(vii) recreation and leisure enjoyment;~~

22 [~~(viii) self-determination; and~~

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

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

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

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

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

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

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

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

15 ~~[(7)]~~ provide for effective interaction between the
16 ~~[visually impaired child's]~~ classroom setting of the child who has
17 a visual impairment, is deaf or hard of hearing, or is deaf-blind
18 and the child's home environment, including providing for parental
19 training and counseling either by school district staff or by
20 representatives of other organizations directly involved in the
21 development and implementation of the individualized education
22 program for the child;

23 (7) describe recommended and required professional
24 development activities based on the special education and related
25 services provided by school district staff to children who have
26 visual impairments, are deaf or hard of hearing, or are deaf-blind

27 ~~[(8) require the continuing education and professional~~

1 ~~development of school district staff providing special education~~
2 ~~services to children with visual impairments];~~

3 (8) [~~(9)~~] provide for adequate monitoring and precise
4 evaluation of special education services provided to children who
5 have visual impairments, are deaf or hard of hearing, or are
6 deaf-blind [~~with visual impairments~~] through school districts;
7 [~~and~~]

8 (9) [~~(10)~~] require that school districts providing
9 special education services to children who have visual impairments,
10 are deaf or hard of hearing, or are deaf-blind [~~with visual~~
11 ~~impairments~~] develop procedures for assuring that staff assigned to
12 work with the children have prompt and effective access directly to
13 resources available through:

14 (A) cooperating agencies in the area;

15 (B) the Texas School for the Blind and Visually
16 Impaired;

17 (C) the Texas School for the Deaf;

18 (D) the statewide outreach center at the Texas
19 School for the Deaf;

20 (E) the Central Media Depository for specialized
21 instructional materials and aids made specifically for use by
22 students with visual impairments;

23 (F) [~~(D)~~] sheltered workshops participating in
24 the state program of purchases of blind-made goods and services;
25 and

26 (G) [~~(E)~~] related sources; and

27 (10) assist in the coordination of educational

1 programs with other public and private agencies, including:

2 (A) agencies operating early childhood
3 intervention programs;

4 (B) preschools;

5 (C) agencies operating child development
6 programs;

7 (D) private nonsectarian schools;

8 (E) agencies operating regional occupational
9 centers and programs; and

10 (F) as appropriate, postsecondary and adult
11 programs for persons who are deaf or hard of hearing.

12 (e) Each eligible [~~blind or visually impaired~~] student who
13 has a visual impairment, is deaf or hard of hearing, or is
14 deaf-blind is entitled to receive educational programs according to
15 an individualized education program that:

16 (1) is developed in accordance with federal and state
17 requirements for providing special education services;

18 (2) is developed by a committee composed as required
19 by federal law;

20 (3) reflects that the student has been provided a
21 detailed explanation of the various service resources available to
22 the student in the community and throughout the state;

23 (4) provides a detailed description of the
24 arrangements made to provide the student with the evaluation and
25 instruction required under this subchapter and Subchapter A,
26 Chapter 29 [~~Subsection (c)(4)~~]; and

27 (5) sets forth the plans and arrangements made for

1 contacts with and continuing services to the student beyond regular
2 school hours to ensure the student learns the skills and receives
3 the instruction required under this subchapter and Subchapter A,
4 Chapter 29 [~~Subsection (c)(4)(B)~~].

5 SECTION 3.44. Subchapter A, Chapter 30, Education Code, is
6 amended by adding Section 30.0021 to read as follows:

7 Sec. 30.0021. REQUIREMENTS FOR CHILDREN WITH VISUAL
8 IMPAIRMENTS. (a) Each child with a visual impairment must receive
9 instruction in an expanded core curriculum required for children
10 with visual impairments to succeed in classroom settings and to
11 derive lasting, practical benefits from education in a school
12 district, including instruction in:

13 (1) compensatory skills, such as braille and concept
14 development, and other skills necessary to access the rest of the
15 curriculum;

16 (2) orientation and mobility;

17 (3) social interaction skills;

18 (4) career education;

19 (5) assistive technology, including optical devices;

20 (6) independent living skills;

21 (7) recreation and leisure enjoyment;

22 (8) self-determination; and

23 (9) sensory efficiency.

24 (b) To determine a child's eligibility for a school
25 district's special education program under Subchapter A, Chapter
26 29, on the basis of a visual impairment, the full individual and
27 initial evaluation of the child under Section 29.004 and any

1 reevaluation of the child must, in accordance with commissioner
2 rule:

3 (1) include an orientation and mobility evaluation
4 conducted:

5 (A) by a person who is appropriately certified as
6 an orientation and mobility specialist, as determined by
7 commissioner rule; and

8 (B) in a variety of lighting conditions and
9 settings, including in the child's home, school, and community and
10 in settings unfamiliar to the child; and

11 (2) provide for a person who is appropriately
12 certified as an orientation and mobility specialist, as determined
13 by commissioner rule, to participate, as part of a
14 multidisciplinary team, in evaluating the data on which the
15 determination of the child's eligibility is based.

16 (c) In developing an individualized education program under
17 Section 29.005 for a child with a visual impairment, proficiency in
18 reading and writing must be a significant indicator of the child's
19 satisfactory educational progress. The individualized education
20 program must include instruction in braille and the use of braille
21 unless the child's admission, review, and dismissal committee
22 documents a determination, based on an evaluation of the child's
23 appropriate literacy media and literacy skills and the child's
24 current and future instructional needs, that braille is not an
25 appropriate literacy medium for the child.

26 (d) Braille instruction:

27 (1) may be used in combination with other special

1 education services appropriate to the educational needs of a child
2 with a visual impairment; and

3 (2) must be provided by a teacher certified to teach
4 children with visual impairments under Subchapter B, Chapter 21.

5 (e) A school district shall provide to each person assisting
6 in the development of an individualized education program for a
7 child with a visual impairment information describing the benefits
8 of braille instruction.

9 (f) To facilitate implementation of this section, the
10 commissioner shall develop a system to distribute from the
11 foundation school fund to school districts or regional education
12 service centers a special supplemental allowance for each student
13 with a visual impairment. The supplemental allowance may be spent
14 only for special education services uniquely required by the nature
15 of the child's disabilities and may not be used in lieu of
16 educational funds otherwise available under this code or through
17 state or local appropriations.

18 SECTION 3.45. Section 30.003, Education Code, is amended by
19 amending Subsections (b), (d), (f-1), and (g) and adding Subsection
20 (b-1) to read as follows:

21 (b) If the student is admitted to the school for a full-time
22 program for the equivalent of two long semesters, the district's
23 share of the cost is an amount equal to the dollar amount of
24 maintenance and debt service taxes imposed by the district for that
25 year, subject to Subsection (b-1), divided by the district's
26 average daily attendance for the preceding year.

27 (b-1) For purposes of Subsection (b), the commissioner

1 shall reduce the dollar amount of maintenance and debt service
2 taxes imposed by the district for a year by the amount, if any, by
3 which the district is required to reduce the district's local
4 revenue level under Section 48.257 for that year.

5 (d) Each school district and state institution shall
6 provide to the commissioner the necessary information to determine
7 the district's share under this section. The information must be
8 reported to the commissioner on or before a date set by commissioner
9 rule [~~of the State Board of Education~~]. After determining the
10 amount of a district's share for all students for which the district
11 is responsible, the commissioner shall deduct that amount from the
12 payments of foundation school funds payable to the district. Each
13 deduction shall be in the same percentage of the total amount of the
14 district's share as the percentage of the total foundation school
15 fund entitlement being paid to the district at the time of the
16 deduction, except that the amount of any deduction may be modified
17 to make necessary adjustments or to correct errors. The
18 commissioner shall provide for remitting the amount deducted to the
19 appropriate school at the same time at which the remaining funds are
20 distributed to the district. If a district does not receive
21 foundation school funds or if a district's foundation school
22 entitlement is less than the amount of the district's share under
23 this section, the commissioner shall direct the district to remit
24 payment to the commissioner, and the commissioner shall remit the
25 district's share to the appropriate school.

26 (f-1) The commissioner shall determine the total amount
27 that the Texas School for the Blind and Visually Impaired and the

1 Texas School for the Deaf would have received from school districts
2 in accordance with this section if the following provisions had not
3 reduced the districts' share of the cost of providing education
4 services:

5 (1) H.B. No. 1, Acts of the 79th Legislature, 3rd
6 Called Session, 2006;

7 (2) Subsection (b-1) of this section;

8 (3) Section 45.0032;

9 (4) [~~3~~] Section 48.255; and

10 (5) [~~4~~] Section 48.2551.

11 (g) The commissioner [~~State Board of Education~~] may adopt
12 rules as necessary to implement this section.

13 SECTION 3.46. Section 30.004(b), Education Code, is amended
14 to read as follows:

15 (b) The commissioner [~~State Board of Education~~] shall adopt
16 rules prescribing the form and content of information required by
17 Subsection (a).

18 SECTION 3.47. Section 30.005, Education Code, is amended to
19 read as follows:

20 Sec. 30.005. TEXAS SCHOOL FOR THE BLIND AND VISUALLY
21 IMPAIRED MEMORANDUM OF UNDERSTANDING. The Texas Education Agency
22 and the Texas School for the Blind and Visually Impaired shall
23 develop[~~, agree to, and by commissioner rule adopt~~] a memorandum of
24 understanding to establish:

25 (1) the method for developing and reevaluating a set
26 of indicators of the quality of learning at the Texas School for the
27 Blind and Visually Impaired;

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

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

6 (4) [~~the process for the agency to:~~
7 ~~((A) assign an accreditation status to the~~
8 ~~school;~~

9 ~~((B) reevaluate the status on an annual basis;~~
10 ~~and~~

11 ~~((C) if necessary, conduct monitoring reviews;~~
12 ~~and~~

13 ~~(5)~~ the type of information the school shall be
14 required to provide through the Public Education Information
15 Management System (PEIMS).

16 SECTION 3.48. Section 30.081, Education Code, is amended to
17 read as follows:

18 Sec. 30.081. LEGISLATIVE INTENT CONCERNING REGIONAL DAY
19 SCHOOLS FOR THE DEAF. The legislature, by this subchapter, intends
20 to continue a process of providing on a statewide basis a suitable
21 education to deaf or hard of hearing students who are under 22 [~~21~~]
22 years of age and assuring that those students have the opportunity
23 to become independent citizens.

24 SECTION 3.49. Section 30.083, Education Code, is amended to
25 read as follows:

26 Sec. 30.083. STATEWIDE PLAN. [~~(a)~~] The director of
27 services shall develop and administer a comprehensive statewide

1 plan for educational services for students who are deaf or hard of
2 hearing and receive special education and related services through
3 a regional day school program for the deaf [~~including continuing~~
4 ~~diagnosis and evaluation, counseling, and teaching~~]. The plan
5 shall be included as part of the comprehensive state plan under
6 Section 30.002 [~~designed to accomplish the following objectives:~~

7 [~~(1) providing assistance and counseling to parents of~~
8 ~~students who are deaf or hard of hearing in regional day school~~
9 ~~programs for the deaf and admitting to the programs students who~~
10 ~~have a hearing loss that interferes with the processing of~~
11 ~~linguistic information;~~

12 [~~(2) enabling students who are deaf or hard of hearing~~
13 ~~to reside with their parents or guardians and be provided an~~
14 ~~appropriate education in their home school districts or in regional~~
15 ~~day school programs for the deaf;~~

16 [~~(3) enabling students who are deaf or hard of hearing~~
17 ~~who are unable to attend schools at their place of residence and~~
18 ~~whose parents or guardians live too far from facilities of regional~~
19 ~~day school programs for the deaf for daily commuting to be~~
20 ~~accommodated in foster homes or other residential school facilities~~
21 ~~provided for by the agency so that those children may attend a~~
22 ~~regional day school program for the deaf;~~

23 [~~(4) enrolling in the Texas School for the Deaf those~~
24 ~~students who are deaf or hard of hearing whose needs can best be met~~
25 ~~in that school and designating the Texas School for the Deaf as the~~
26 ~~statewide educational resource for students who are deaf or hard of~~
27 ~~hearing;~~

1 ~~[(5) encouraging students in regional day school~~
2 ~~programs for the deaf to attend general education classes on a~~
3 ~~part-time, full-time, or trial basis, and~~

4 ~~[(6) recognizing the need for development of language~~
5 ~~and communications abilities in students who are deaf or hard of~~
6 ~~hearing, but also calling for the use of methods of communication~~
7 ~~that will meet the needs of each individual student, with each~~
8 ~~student assessed thoroughly so as to ascertain the student's~~
9 ~~potential for communications through a variety of means, including~~
10 ~~through oral or aural means, fingerspelling, or sign language].~~

11 ~~[(b) The director of services may establish separate~~
12 ~~programs to accommodate diverse communication methodologies.]~~

13 SECTION 3.50. Section 30.021(e), Education Code, is amended
14 to read as follows:

15 (e) The school shall cooperate with public and private
16 agencies and organizations serving students and other persons with
17 visual impairments in the planning, development, and
18 implementation of effective educational and rehabilitative service
19 delivery systems associated with educating students with visual
20 impairments. To maximize and make efficient use of state
21 facilities, funding, and resources, the services provided in this
22 area may include conducting a cooperative program with other
23 agencies to serve students who have graduated from high school by
24 completing all academic requirements applicable to students in
25 general ~~[regular]~~ education, excluding satisfactory performance
26 under Section 39.025, who are younger than 22 years of age on
27 September 1 of the school year and who have identified needs related

1 to vocational training, independent living skills, orientation and
2 mobility, social and leisure skills, compensatory skills, or
3 remedial academic skills.

4 SECTION 3.51. Section 37.146(a), Education Code, is amended
5 to read as follows:

6 (a) A complaint alleging the commission of a school offense
7 must, in addition to the requirements imposed by Article 45A.101,
8 Code of Criminal Procedure:

9 (1) be sworn to by a person who has personal knowledge
10 of the underlying facts giving rise to probable cause to believe
11 that an offense has been committed; and

12 (2) be accompanied by a statement from a school
13 employee stating:

14 (A) whether the child is eligible for or receives
15 special education services under Subchapter A, Chapter 29; and

16 (B) the graduated sanctions, if required under
17 Section 37.144, that were imposed on the child before the complaint
18 was filed.

19 SECTION 3.52. Sections 38.003(c-1) and (d), Education Code,
20 are amended to read as follows:

21 (c-1) The agency by rule shall develop procedures designed
22 to allow the agency to:

23 (1) effectively audit and monitor and periodically
24 conduct site visits of all school districts to ensure that
25 districts are complying with this section, including the program
26 approved by the State Board of Education under this section;

27 (2) identify any problems school districts experience

1 in complying with this section, including the program approved by
2 the State Board of Education under this section;

3 (3) develop reasonable and appropriate remedial
4 strategies to address school district noncompliance and ensure the
5 purposes of this section are accomplished, which may include the
6 publication of a recommended evidence-based dyslexia program list;
7 ~~[and]~~

8 (4) solicit input from parents of students enrolled in
9 a school district during the auditing and monitoring of the
10 district under Subdivision (1) regarding the district's
11 implementation of the program approved by the State Board of
12 Education under this section; and

13 (5) engage in general supervision activities,
14 including activities under the comprehensive system for monitoring
15 described by Section 29.010, to ensure school district compliance
16 with the program approved by the State Board of Education under this
17 section and Part B, Individuals with Disabilities Education Act (20
18 U.S.C. Section 1411 et seq.).

19 (d) The State Board of Education by rule shall define
20 dyslexia and related disorders in a manner that aligns with current
21 research ~~[In this section:~~

22 ~~[(1) "Dyslexia" means a disorder of constitutional~~
23 ~~origin manifested by a difficulty in learning to read, write, or~~
24 ~~spell, despite conventional instruction, adequate intelligence,~~
25 ~~and sociocultural opportunity.~~

26 ~~[(2) "Related disorders" includes disorders similar~~
27 ~~to or related to dyslexia, such as developmental auditory~~

1 ~~imperception, dysphasia, specific developmental dyslexia,~~
2 ~~developmental dysgraphia, and developmental spelling disability].~~

3 SECTION 3.53. Section 48.009(b), Education Code, is amended
4 to read as follows:

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

9 (1) the number of students enrolled in the district or
10 school who are identified as having dyslexia;

11 (2) the availability of school counselors, including
12 the number of full-time equivalent school counselors, at each
13 campus;

14 (3) the availability of expanded learning
15 opportunities as described by Section 33.252 at each campus;

16 (4) the total number of students, other than students
17 described by Subdivision (5), enrolled in the district or school
18 with whom the district or school, as applicable, used intervention
19 strategies, as that term is defined by Section 26.004, at any time
20 during the year for which the report is made;

21 (5) the total number of students enrolled in the
22 district or school to whom the district or school provided aids,
23 accommodations, or services under Section 504, Rehabilitation Act
24 of 1973 (29 U.S.C. Section 794), at any time during the year for
25 which the report is made;

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

27 (A) children who are required to attend school

1 under Section 25.085, are not exempted under Section 25.086, and
2 fail to attend school without excuse for 10 or more days or parts of
3 days within a six-month period in the same school year;

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

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

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

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

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

18 (C) enroll in the program at the district or
19 school after not attending school for a period of at least nine
20 months; and

21 (8) students enrolled in a special education program
22 under Subchapter A, Chapter 29, as necessary for the agency to
23 adequately perform general supervision activities and determine
24 funding under Sections 48.102 and 48.1021.

25 SECTION 3.54. Subchapter A, Chapter 48, Education Code, is
26 amended by adding Section 48.011 to read as follows:

27 Sec. 48.011. COMMISSIONER AUTHORITY TO RESOLVE UNINTENDED

1 CONSEQUENCES. (a) Subject to Subsection (b), the commissioner
2 may, as necessary to implement changes made by the legislature to
3 public school finance and school district maintenance and
4 operations tax rates during the preceding four state fiscal years:

5 (1) adjust a school district's entitlement under this
6 chapter if the funding formulas used to determine the district's
7 entitlement result in an unanticipated loss, gain, or other result
8 for a school district; and

9 (2) modify dates relating to the adoption of a school
10 district's maintenance and operations tax rate and, if applicable,
11 an election required for the district to adopt that tax rate.

12 (b) Before making an adjustment under Subsection (a), the
13 commissioner shall notify and must receive approval from the
14 Legislative Budget Board and the office of the governor.

15 (c) If the commissioner makes an adjustment under
16 Subsection (a), the commissioner must provide to the legislature an
17 explanation regarding the changes necessary to resolve the
18 unintended consequences.

19 SECTION 3.55. Section 48.102, Education Code, is amended to
20 read as follows:

21 Sec. 48.102. SPECIAL EDUCATION. (a) For each student in
22 average daily attendance in a special education program under
23 Subchapter A, Chapter 29, [~~in a mainstream instructional~~
24 ~~arrangement,~~] a school district is entitled to an annual allotment
25 equal to the basic allotment, or, if applicable, the sum of the
26 basic allotment and the allotment under Section 48.101 to which the
27 district is entitled, multiplied by a weight in an amount set by the

1 legislature in the General Appropriations Act for the highest tier
2 of intensity of service for which the student qualifies [1.15].

3 (a-1) Notwithstanding Subsection (a), for the 2025-2026 and
4 2026-2027 school years, the amount of an allotment under this
5 section shall be determined in accordance with Section 48.1022.
6 This subsection expires September 1, 2027. [For each full-time
7 equivalent student in average daily attendance in a special
8 education program under Subchapter A, Chapter 29, in an
9 instructional arrangement other than a mainstream instructional
10 arrangement, a district is entitled to an annual allotment equal to
11 the basic allotment, or, if applicable, the sum of the basic
12 allotment and the allotment under Section 48.101 to which the
13 district is entitled, multiplied by a weight determined according
14 to instructional arrangement as follows:

15	<u>[Homebound</u>	<u>5.0</u>
16	<u>[Hospital class</u>	<u>3.0</u>
17	<u>[Speech therapy</u>	<u>5.0</u>
18	<u>[Resource room</u>	<u>3.0</u>
19	<u>[Self-contained, mild and moderate, regular campus</u>	<u>3.0</u>
20	<u>[Self-contained, severe, regular campus</u>	<u>3.0</u>
21	<u>[Off home campus</u>	<u>2.7</u>
22	<u>[Nonpublic day school</u>	<u>1.7</u>
23	<u>[Vocational adjustment class</u>	<u>2.3]</u>

24 (b) The commissioner by rule shall define eight tiers of
25 intensity of service for use in determining funding under this
26 section. The commissioner must include one tier specifically
27 addressing students receiving special education services in

1 residential placement and one tier for students receiving only
2 speech therapy [~~A special instructional arrangement for students~~
3 ~~with disabilities residing in care and treatment facilities, other~~
4 ~~than state schools, whose parents or guardians do not reside in the~~
5 ~~district providing education services shall be established by~~
6 ~~commissioner rule. The funding weight for this arrangement shall~~
7 ~~be 4.0 for those students who receive their education service on a~~
8 ~~local school district campus. A special instructional arrangement~~
9 ~~for students with disabilities residing in state schools shall be~~
10 ~~established by commissioner rule with a funding weight of 2.8].~~

11 (c) In defining the tiers of intensity of service under
12 Subsection (b), the commissioner shall consider:

13 (1) the type, frequency, and nature of services
14 provided to a student;

15 (2) the required certifications, licensures, or other
16 qualifications for personnel serving the student;

17 (3) any identified or curriculum-required
18 provider-to-student ratios for the student to receive the
19 appropriate services; and

20 (4) any equipment or technology required for the
21 services [~~For funding purposes, the number of contact hours~~
22 ~~credited per day for each student in the off home campus~~
23 ~~instructional arrangement may not exceed the contact hours credited~~
24 ~~per day for the multidistrict class instructional arrangement in~~
25 ~~the 1992-1993 school year].~~

26 (d) [~~For funding purposes the contact hours credited per day~~
27 ~~for each student in the resource room, self-contained, mild and~~

1 ~~moderate, and self-contained, severe, instructional arrangements~~
2 ~~may not exceed the average of the statewide total contact hours~~
3 ~~credited per day for those three instructional arrangements in the~~
4 ~~1992-1993 school year.~~

5 ~~[(c) The commissioner by rule shall prescribe the~~
6 ~~qualifications an instructional arrangement must meet in order to~~
7 ~~be funded as a particular instructional arrangement under this~~
8 ~~section. In prescribing the qualifications that a mainstream~~
9 ~~instructional arrangement must meet, the commissioner shall~~
10 ~~establish requirements that students with disabilities and their~~
11 ~~teachers receive the direct, indirect, and support services that~~
12 ~~are necessary to enrich the regular classroom and enable student~~
13 ~~success.~~

14 ~~[(f) In this section, "full-time equivalent student" means~~
15 ~~30 hours of contact a week between a special education student and~~
16 ~~special education program personnel.~~

17 ~~[(g) The commissioner shall adopt rules and procedures~~
18 ~~governing contracts for residential placement of special education~~
19 ~~students. The legislature shall provide by appropriation for the~~
20 ~~state's share of the costs of those placements.~~

21 ~~[(h)]~~ At least 55 percent of the funds allocated under this
22 section must be used in the special education program under
23 Subchapter A, Chapter 29.

24 (e) ~~[(i)]~~ The agency shall ensure ~~[encourage]~~ the placement
25 of students in special education programs, including students in
26 residential placement ~~[instructional arrangements]~~, in the least
27 restrictive environment appropriate for their educational needs.

1 (f) [~~(j)~~] A school district that provides an extended year
2 program required by federal law for special education students who
3 may regress is entitled to receive funds in an amount equal to [~~75~~
4 ~~percent, or a lesser percentage determined by the commissioner, of~~]
5 the basic allotment, or, if applicable, the sum of the basic
6 allotment and the allotment under Section 48.101 to which the
7 district is entitled for each [~~full-time equivalent~~] student in
8 average daily attendance, multiplied by the amount designated for
9 the highest tier of intensity of service for which the student
10 qualifies [~~student's instructional arrangement~~] under this
11 section, for each day the program is provided divided by the number
12 of days in the minimum school year. [~~The total amount of state~~
13 ~~funding for extended year services under this section may not~~
14 ~~exceed \$10 million per year.~~] A school district may use funds
15 received under this section only in providing an extended year
16 program.

17 (g) [~~(k)~~] From the total amount of funds appropriated for
18 special education under this section, the commissioner shall
19 withhold an amount specified in the General Appropriations Act, and
20 distribute that amount to school districts for programs under
21 Section 29.014. The program established under that section is
22 required only in school districts in which the program is financed
23 by funds distributed under this subsection and any other funds
24 available for the program. After deducting the amount withheld
25 under this subsection from the total amount appropriated for
26 special education, the commissioner shall reduce each district's
27 allotment proportionately and shall allocate funds to each district

1 accordingly.

2 (h) Not later than December 1 of each even-numbered year,
3 the commissioner shall submit to the Legislative Budget Board, for
4 purposes of the allotment under this section, proposed weights for
5 the tiers of intensity of service for the next state fiscal
6 biennium.

7 SECTION 3.56. Subchapter C, Chapter 48, Education Code, is
8 amended by adding Sections 48.1021 and 48.1022 to read as follows:

9 Sec. 48.1021. SPECIAL EDUCATION SERVICE GROUP ALLOTMENT.

10 (a) For each student in a special education program under
11 Subchapter A, Chapter 29, a school district is entitled to an
12 allotment in an amount set by the legislature in the General
13 Appropriations Act for the service group for which the student
14 receives services.

15 (a-1) Notwithstanding Subsection (a), for the 2025-2026 and
16 2026-2027 school years, the amount of an allotment under this
17 section shall be determined in accordance with Section 48.1022.
18 This subsection expires September 1, 2027.

19 (b) The commissioner by rule shall establish at least four
20 service groups for use in determining funding under this section.
21 In establishing the groups, the commissioner must consider:

22 (1) the type, frequency, and nature of services
23 provided to a student;

24 (2) the required certifications, licensures, or other
25 qualifications for personnel serving the student;

26 (3) any identified or curriculum-required
27 provider-to-student ratios for the student to receive the

1 appropriate services; and

2 (4) any equipment or technology required for the
3 services.

4 (c) At least 55 percent of the funds allocated under this
5 section must be used for a special education program under
6 Subchapter A, Chapter 29.

7 (d) Not later than December 1 of each even-numbered year,
8 the commissioner shall submit to the Legislative Budget Board, for
9 purposes of the allotment under this section, proposed amounts of
10 funding for the service groups for the next state fiscal biennium.

11 Sec. 48.1022. SPECIAL EDUCATION TRANSITION FUNDING. (a)
12 For the 2025-2026 and 2026-2027 school years, the commissioner may
13 adjust weights or amounts provided under Section 48.102 or 48.1021
14 as necessary to ensure compliance with requirements regarding
15 maintenance of state financial support under 20 U.S.C. Section
16 1412(a)(18) and maintenance of local financial support under
17 applicable federal law.

18 (b) For the 2025-2026 and 2026-2027 school years, the
19 commissioner shall determine the formulas through which school
20 districts receive funding under Sections 48.102 and 48.1021. In
21 determining the formulas, the commissioner shall ensure the
22 estimated statewide increase from the allotment under Section
23 48.102 for the 2024-2025 school year to the sum of the allotments
24 under Sections 48.102 and 48.1021 for the 2025-2026 school year is
25 approximately \$615 million.

26 (c) Each school district and open-enrollment charter school
27 shall report to the agency information necessary to implement this

1 section.

2 (d) The agency shall provide technical assistance to school
3 districts and open-enrollment charter schools to ensure a
4 successful transition in funding formulas for special education.

5 (e) This section expires September 1, 2028.

6 SECTION 3.57. Sections 48.103(b), (c), and (d), Education
7 Code, are amended to read as follows:

8 (b) A school district is entitled to an allotment under
9 Subsection (a) only for a student who:

10 (1) is receiving instruction, services, or
11 accommodations for dyslexia or a related disorder in accordance
12 with:

13 (A) an individualized education program
14 developed for the student under Section 29.005; or

15 (B) a plan developed for the student under
16 Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794); or

17 ~~(2) [is receiving instruction that:~~

18 ~~[(A) meets applicable dyslexia program criteria~~
19 ~~established by the State Board of Education; and~~

20 ~~[(B) is provided by a person with specific~~
21 ~~training in providing that instruction; or~~

22 ~~[(3)]~~ is permitted, on the basis of having dyslexia or
23 a related disorder, to use modifications in the classroom or
24 accommodations in the administration of assessment instruments
25 under Section 39.023 without a program or plan described by
26 Subdivision (1).

27 (c) A school district may receive funding for a student

1 under each provision of this section, ~~[and]~~ Section 48.102, and
2 Section 48.1021 for which ~~[if]~~ the student qualifies ~~[satisfies the~~
3 ~~requirements of both sections]~~.

4 (d) A school district may use ~~[an amount not to exceed 20~~
5 ~~percent of]~~ the allotment provided for a qualifying student under
6 this section to contract with a private provider to provide
7 supplemental academic services to the student that are recommended
8 under the student's program or plan described by Subsection (b). A
9 student may not be excused from school to receive supplemental
10 academic services provided under this subsection.

11 SECTION 3.58. Section 48.110(d), Education Code, is amended
12 to read as follows:

13 (d) For each annual graduate in a cohort described by
14 Subsection (b) who demonstrates college, career, or military
15 readiness as described by Subsection (f) in excess of the minimum
16 number of students determined for the applicable district cohort
17 under Subsection (c), a school district is entitled to an annual
18 outcomes bonus of:

19 (1) if the annual graduate is educationally
20 disadvantaged, \$5,000;

21 (2) if the annual graduate is not educationally
22 disadvantaged, \$3,000; and

23 (3) if the annual graduate is enrolled in a special
24 education program under Subchapter A, Chapter 29, \$4,000 ~~[\$2,000]~~,
25 regardless of whether the annual graduate is educationally
26 disadvantaged.

27 SECTION 3.59. Section 48.151(g), Education Code, is amended

1 to read as follows:

2 (g) A school district or county that provides special
3 transportation services for eligible special education students is
4 entitled to a state allocation at a ~~[paid on a previous year's~~
5 ~~cost per mile basis. The]~~ rate per mile equal to the sum of the
6 rate per mile set under Subsection (c) and \$0.13, or a greater
7 amount provided ~~[allowable shall be set]~~ by appropriation ~~[based on~~
8 ~~data gathered from the first year of each preceding biennium]~~.
9 Districts may use a portion of their support allocation to pay
10 transportation costs, if necessary. The commissioner may grant an
11 amount set by appropriation for private transportation to reimburse
12 parents or their agents for transporting eligible special education
13 students. The mileage allowed shall be computed along the shortest
14 public road from the student's home to school and back, morning and
15 afternoon. The need for this type of transportation shall be
16 determined on an individual basis and shall be approved only in
17 extreme hardship cases.

18 SECTION 3.60. Subchapter D, Chapter 48, Education Code, is
19 amended by adding Section 48.158 to read as follows:

20 Sec. 48.158. SPECIAL EDUCATION FULL INDIVIDUAL AND INITIAL
21 EVALUATION. For each child for whom a school district conducts a
22 full individual and initial evaluation under Section 29.004 or 20
23 U.S.C. Section 1414(a)(1), the district is entitled to an allotment
24 of \$1,000 or a greater amount provided by appropriation.

25 SECTION 3.61. Section 48.265(a), Education Code, is amended
26 to read as follows:

27 (a) If ~~[Notwithstanding any other provision of law, if]~~ the

1 commissioner determines that the amount appropriated for the
2 purposes of the Foundation School Program exceeds the amount to
3 which school districts are entitled under this chapter, the
4 commissioner may provide [~~by rule shall establish a grant program~~
5 ~~through which excess funds are awarded as~~] grants using the excess
6 money for the purchase of video equipment, or for the reimbursement
7 of costs for previously purchased video equipment, used for
8 monitoring special education classrooms or other special education
9 settings required under Section 29.022.

10 SECTION 3.62. Section 48.279(e), Education Code, is amended
11 to read as follows:

12 (e) After the commissioner has replaced any withheld
13 federal funds as provided by Subsection (d), the commissioner shall
14 distribute the remaining amount, if any, of funds described by
15 Subsection (a) to proportionately increase funding for the special
16 education allotment under Section 48.102 and the special education
17 service group allotment under Section 48.1021.

18 SECTION 3.63. Subchapter G, Chapter 48, Education Code, is
19 amended by adding Sections 48.304, 48.306, and 48.315 to read as
20 follows:

21 Sec. 48.304. DAY PLACEMENT PROGRAM OR COOPERATIVE FUNDING.

22 (a) For each qualifying day placement program or cooperative that a
23 regional education service center, school district, or
24 open-enrollment charter school establishes, the center, district,
25 or school is entitled to an allotment for the program or cooperative
26 of:

27 (1) \$250,000 for the first year of the program's or

1 cooperative's operation; and

2 (2) \$50,000 for each student enrolled in the program
3 or cooperative for each year of the program's or cooperative's
4 operation after the first year, up to a maximum of \$250,000.

5 (b) A day placement program or cooperative qualifies for
6 purposes of Subsection (a) if:

7 (1) the program or cooperative complies with
8 commissioner rules adopted under Section 29.008(e);

9 (2) the program or cooperative offers services to
10 students who are enrolled at any school district or open-enrollment
11 charter school in the county in which the program or cooperative is
12 offered, unless the commissioner by rule waives or modifies the
13 requirement under this subdivision for the program or cooperative
14 to serve all students in a county; and

15 (3) the agency has designated the program or
16 cooperative for service in the county in which the program or
17 cooperative is offered and determined that, at the time of
18 designation, the program or cooperative increases the availability
19 of day placement services in the county.

20 (c) The agency may not designate more than one day placement
21 program or cooperative for service per county each year.

22 (d) Each school district or open-enrollment charter school
23 that receives an allotment for a day placement program or
24 cooperative under this section must remit at least 75 percent, or a
25 greater amount as agreed to by the district or school and the
26 program administrator or cooperative's fiscal agent, of the
27 allotments received under Sections 48.102 and 48.1021 for each

1 district or school student served by the program or cooperative for
2 a school year to the program or cooperative for the provision of
3 necessary services to the student. If the student is reintegrated
4 into the district or school, the administrator or fiscal agent must
5 return to the district or school any amount unspent for the student.

6 (e) The agency may designate a regional education service
7 center to implement and administer this section.

8 Sec. 48.306. PARENT-DIRECTED SERVICES FOR STUDENTS
9 RECEIVING SPECIAL EDUCATION SERVICES GRANT. (a) A student to whom
10 the agency awards a grant under Subchapter A-1, Chapter 29, is
11 entitled to receive an amount of \$1,500 or a greater amount provided
12 by appropriation.

13 (b) The legislature shall include in the appropriations for
14 the Foundation School Program state aid sufficient for the agency
15 to award grants under Subchapter A-1, Chapter 29, in the amount
16 provided by this section.

17 (c) A student may receive one grant under Subchapter A-1,
18 Chapter 29, unless the legislature appropriates money for an
19 additional grant in the General Appropriations Act.

20 (d) A regional education service center designated to
21 administer the program under Subchapter A-1, Chapter 29, for a
22 school year is entitled to an amount equal to four percent of each
23 grant awarded under that subchapter for that school year.

24 (e) Notwithstanding Section 7.057, a determination of the
25 commissioner under this section is final and may not be appealed.

26 Sec. 48.315. FUNDING FOR REGIONAL DAY SCHOOL PROGRAMS FOR
27 THE DEAF. (a) The program administrator or fiscal agent of a

1 regional day school program for the deaf is entitled to receive for
2 each school year an allotment of \$6,925, or a greater amount
3 provided by appropriation, for each student receiving services from
4 the program.

5 (b) Notwithstanding Subsection (a), the agency shall adjust
6 the amount of an allotment under that subsection for a school year
7 to ensure the total amount of allotments provided under that
8 subsection is at least \$35 million for that school year.

9 SECTION 3.64. The following provisions of the Education
10 Code are repealed:

- 11 (1) Section 7.055(b)(24);
- 12 (2) Sections 7.102(c)(18), (19), (20), (21), and (22);
- 13 (3) Section 29.002;
- 14 (4) Section 29.0041(c);
- 15 (5) Section 29.005(f);
- 16 (6) Section 29.0161;
- 17 (7) Sections 29.018(c), (d), and (e);
- 18 (8) Sections 29.308, 29.309, 29.311, 30.001, and
19 30.0015;
- 20 (9) Sections 30.002(c-1), (c-2), (f), (f-1), and (g);
- 21 (10) Section 30.084; and
- 22 (11) Section 30.087(b).

23 ARTICLE 4. TRANSITION AND EFFECTIVE DATE

24 SECTION 4.01. (a) Except as otherwise provided by this Act
25 and by Subsection (b) of this section, the changes made by this Act
26 to Chapters 7, 8, 12A, 19, 21, 25, 28, 29, 30, 37, and 38, Education
27 Code, apply beginning with the 2025-2026 school year.

1 (b) Section 21.0032, Education Code, as added by this Act,
2 and Section 21.402, Education Code, as amended by this Act, apply
3 beginning with the 2026-2027 school year.

4 SECTION 4.02. (a) Except as provided by Subsection (b) of
5 this section, this Act takes effect September 1, 2025.

6 (b) The changes made by this Act to Chapters 7, 8, 12A, 19,
7 21, 25, 28, 29, 30, 37, and 38, Education Code, and Section 48.283,
8 Education Code, take effect immediately if this Act receives a vote
9 of two-thirds of all the members elected to each house, as provided
10 by Section 39, Article III, Texas Constitution. If this Act does
11 not receive the vote necessary for immediate effect, those changes
12 take effect September 1, 2025.