



Texas Association of Community Schools

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June 3, 2015
Legislative Wrap-Up

The 84th legislative session is officially over. As they say, sine die. It is hard to know what tone to take in recapping the 84th legislative session. We could label the session a failure because of all of the good bills that didn't pass. Or we could claim victory since several (mostly) good bills passed, and many of the worst education "reform" bills were kept from becoming law. Retiring House Public Education Committee Chairman, Representative Jimmie Don Aycock, said earlier this week: "We got some good movement on education improvements this session, and we avoided stuff that needed to be avoided. Everybody got a little bit and nobody got a whole lot." So, let's call it a mixed bag. It could have been better, but it could have been a whole lot worse!

Following are summaries of some of the biggest, broadest, and most controversial education bills and issues that were raised this session.

Overall Wins:

Good things that happened (with a few bad provisions thrown in)

1. Pre-K: While funding is still below previous levels, Governor Abbott's priority high-quality pre-K bill passed under the name of HB4. The \$130 million plan offers additional funding for school districts that adopt new standards such as hiring only certified teachers.
2. Diversification of the accountability system: Chairman Aycock's HB 2804 diversifies the accountability system so that only 55% of the rating is based on standardized test scores as opposed to the current system which is 95% based on standardized testing. In an effort to save his bill, Representative Aycock rolled in a controversial Senate measure that implements an A-F labeling system for campuses. In spite of many valiant efforts in the house to shake A-F out of the bill, it remains in the final version. If the governor signs HB 2804, the accountability system will have five domains. Standardized test scores comprise the first three domains, and will account for 55% of the measure. Domain 4 will consist of non-test measures, such as certifications, military enlistment, AP courses taken, etc. This domain will count 35% for elementary schools and 25% for high schools, for which graduation rates will account for the other 10%. The 5th domain will measure student and parent engagement, and will account for 10% of the accountability rating. The A-F rating system for districts will begin in the 2017-18 school year. The conference committee report also rolled in what was previously SB 1200, and created a commission to evaluate the accountability and assessment systems. We will have to watch this bill closely to be sure that educators, parents, and other stakeholders are involved in this commission.
3. Individual Graduation Committees: One of the first bills signed into law by Governor Abbott and supported by parents, teachers, and superintendents was SB 149 by Senator Kel Seliger. This bill requires the creation of individual graduation committees for students who have done everything required for graduation, except for passing one or two end of course exams. This is the first puncture in the high stakes standardized testing regime in Texas. The only downside to this bill is that a sunset provision was attached which causes the bill to expire in 2017. Action will likely be needed next session to remove the sunset provision and extend the bill.

4. Assessment for grades 3-8: Students and teachers in grades 3-8 were due some testing relief this session, and while most testing relief bills didn't make it, HB 743 passed both the house and the senate is heading to the governor for his signature. This bill requires an outside entity to validate the tests, requires more reasonable and age-appropriate tests for students in grades 3-8, and requires a study of the TEKS.

5. Writing Assessments: Representative Gary VanDeaver's original HB 1164 would have eliminated the state standardized writing test and required districts to continue to assess writing at the local level and report it to the state. While a far less attractive version of the bill ultimately passed out of conference committee and merely creates a broad study on the best way to assess writing, it does at least begin the discussion about how best to test and assess writing. Under the version being sent to the governor, the current system stays in place and high stakes state testing in the form of a 26 line formulaic essay will remain for at least another 2 years.

6. Reducing and reforming the TEKS: It is widely known and lamented that the Texas TEKS are a mile wide and an inch deep. Senate Bill 313 addresses this issue by requiring the SBOE to review the TEKS and modify them by narrowing the content and scope of the skills. SBOE is to determine whether the TEKS could realistically be taught in depth in the amount of time available. Also rolled into the final bill, is language from other bills by Senator Seliger including detailed reporting on results of assessments for parents, students, and teachers. While the language requiring that standardized tests be based on readiness standards (and not supporting standards) was removed to reduce the fiscal note, this is a step in the right direction for TEKS reform.

7. Instructional Materials Allotment frontloading – The above mentioned bill, SB 313 also includes language permitting of front-loading the IMA, and limits a proclamation to no more than 75% of the IMA. Another bill, HB 1474, also addresses the IMA and has passed both houses and been sent to the governor.

8. School turnarounds: Chairman Aycock's HB 1842, a bill relating to school turnarounds, almost became the vehicle for three very bad amendments. One was the Opportunity School District, which would have allowed the state to take over campuses in the second year of low ratings and hand over control of the campuses to private managers. This bill (SB 669) had not progressed on its own, and the amendment was removed from the final version of the bill. Another amendment rolled in Senator Larry Taylor's 1897, which would have helped low performing charters keep their charter and also would have enabled low performing charters to expand. This too was ultimately removed from the final version of HB 1842. What remains, however, is Chairman Taylor's SB 1241 which creates "innovation zones" where school boards can exempt themselves from certain state and local requirements. We will have to see how this plays out. HB 1842 does some good things though, including ending mandatory firing of teachers at struggling schools in their second year of low ratings, and allowing for stakeholder involvement in creating a turnaround plan in the third year. It is a tough bill, though, in that by year 5, HB 1842 requires a campus be closed, or a takeover of the whole school district by a state appointed board of managers.

Bad Things that didn't happen:

1. Opportunity School Districts: As mentioned above, this bill was the hot potato it was last session, and despite efforts to stick it on many a bill as an amendment, it didn't make it!

2. Vouchers in many forms and with varied names were proposed time and again in the Senate, and the house valiantly and successfully cut off discussion of vouchers again this session. This is a major win!

3. Parent Trigger was another "reform" idea being pushed by the Senate. Public education advocates

were wary of “parent trigger” laws that use parent involvement to turn schools over to private entities, which ultimately remove parent involvement completely. TACS remains opposed to parent trigger laws, but we are hopeful that the true and real parent involvement in the form of community schools will come to fruition with our help next session.

4. TACS successfully fought off minor efforts to infringe on ESCs and they emerged unscathed.

5. Bills to require the UIL to accept home-school students were filed and heard in committee, but no changes were made. The UIL came out of session intact.

Overall Losses:

Good things that didn't happen:

1. School Finance Reform: The House can be applauded for trying to address the school finance crisis, via Chairman Aycock's HB 1759. If his bill had passed, it would have injected an additional \$3 billion into the state's school finance. Chairman Aycock's bill would have increased funding for 94% of students, but he pulled the bill down since the Senate had no intention of dealing with school finance until they heard back from the court.

2. Community Schools: One bright spot in the legislative session was early support for the community schools model, with HB 1891 and 1892 and its senate companion, SB 1483. TACS worked hard to support these bills and the concept they promoted. Our member districts exemplify what is great about community participation and support and we are hopeful that this concept will come back stronger and with good strategic support next session.

3. TRS – Despite efforts, no real progress was made on getting the state to pay its fair share of TRS active care health insurance. There were efforts to weaken the system by allowing districts to opt out, but TACS joined efforts to turn this bill into a study and warded off major changes to the system.

4. Removing high stakes: While SB 149 takes a tiny bite out of the high stakes monster, Texas still requires 5 EOCs to be passed for graduation. NCLB does not require high stakes and 30 states do not have high stakes. Texas is still tied for 2nd place with the highest number of high stakes exams required for graduation.

5. Test reduction to NCLB levels: While several bills were filed that would reduce state standardized testing to no more than federal levels, none were heard in committee.

Bad things that did happen:

1. Accountability system ratings A-F: As mentioned previously, this unhelpful and punitive rating system was rolled into an otherwise positive bill. The rating of campuses on an A-F scale has posed problems in other states that have implemented this system. We are confident that there will be pushback against this system once it is implemented, and we will work to stand up for our public schools.

On Monday, June 1st, the last day of session, House Public Education Chairman Jimmie Don Aycock announced publicly that he would not be back. He is ready to resume his life and enjoy retirement. He has been an ardent advocate for public education in the face of growing resistance and efforts to privatize via “reform” tactics. Representative Darby said that Aycock has been known as “Dr. No” when he is resisting efforts to destroy public education. And to those who support public education, he is known as “the rock.” We all owe Representative Aycock a world of thanks for his dedication to public education in the state of Texas and we would be extremely fortunate to have someone half as engaged, concerned about, and supportive of public education during the next legislative session. It is a true loss to see him

go. As he said in his farewell on the floor, we must think about the 5.2 million students in the state of Texas and make good public policy on their behalf.

Since January, TACS has followed hundreds of bills, met with countless elected officials and their staffs, sat through marathon hearings, and testified on your behalf. During the interim we will follow which bills become law, help figure out how to implement them, and begin to identify priorities and strategies for the 85th legislative session.

As you all undertake the arduous task of wrapping up the school year and begin preparing for the next, know that we will keep you abreast of which laws are ultimately signed into law by Governor Abbott, and that we will help you understand what they mean for you and your schools and students.

Many thanks for trusting us to fight for you here in Austin!

Laura Yeager
TACS Government Relations

*Below, please find two lists of education bills. The first is a list of bills that have been signed into law as of June 2nd, 2015. The second is a list of education bills awaiting action from the Governor.

Bills that have been signed by the Governor (as of 6/2/2015)

HB 4 Pre-K
HB 181 Info on transcripts rather than diplomas
HB 440 PE curriculum accommodating students with mental disabilities
HB 505 Unlimited on dual credit courses
HB 744 Purchase of liability insurance for off campus events
HB 1430 Adds mental health to the public service endorsement
HB 1993 Allows for electronic notification of grades to parents
SB 66 Ephinephrine auto-injectors
SB 149 Individual graduation committees
SB 685 State's education research center's advisory board and open meetings
SB 810 Allows for ISD/municipality cooperation in constructing athletic facilities
SB 925 K-3 teacher reading academies
SB 934 K-3 teacher math academies
SB 935 Reading excellence team pilot program
SB 972 Grades 4-5 teacher reading academies

Bills Passed but not yet acted upon by the Governor

HB 18 College and career readiness training for certain public school counselors
HB 731 Participation in 3-year high school diploma plan pilot program
HB 743 Grades 3-8: valid and reliable tests, shorten tests, review TEKS
HB 1164 Creation of an alternative assessment for writing
HB 1431 Development of a career-oriented foreign language program
HB 1613 Use of TSI to exempt from further admins of English and Algebra EOCs
HB 1842 Assessment and intervention in schools not satisfying accreditation criteria
HB 1992 Allows different IHE's to set AP scores required for credit
HB 2349 Performance acknowledgements, EOCs for courses in which enrolled, etc.
HB 2610 Number of minutes of instruction, and scheduling of last day of school
HB 2804 Accountability revamp, A-F, and next generation assessment commission
HB 2812 Repeals limit on dual credit courses

HB 3062 Participation of ISDs in Jobs and Education for Texans (JET) Grant program
HB 3106 Extends period of time of appointment of Board of Managers
HB 4046 Confidentiality of student records
SB 313 Reviews and modifies TEKS, frontloads IMA, detailed reporting of scores
SB 453 Minimum score for CLEP tests for credit by examination
SB 1004 Which Jr. colleges can offer which students courses
SB 1259 IEPs, written report of committee, and regular education teacher's input
SB 1776 Students who complete certain college prep courses exempt from TSI
SB 1867 Excludes certain adult students receiving special ed from ac