



# Summary of Select Legislation

June 26, 2019

---

**86th Session (Regular)**

---

## INTRODUCTION/USING THIS DOCUMENT

This document was compiled by the Intergovernmental Relations staff at Austin ISD. While secondary sources were occasionally used as the basis for the bill analyses and to confirm interpretation, the summaries are the work of Austin ISD employees and reflect their analysis of the anticipated consequences of a bill on the district. Others may have differing interpretations.

Staff welcomes your comments on this document and will work with you to seek clarification on any interpretation that may differ from your understanding of the bill.

As with any legislation, some bills may need further interpretation or rulemaking, whether by Austin ISD staff or external organizations, such as the Texas Association of School Boards, or governmental agencies, such as the Texas Education Agency.

Two bills will have significant effects on district operations – House Bill 3 (School Finance with its miscellaneous provisions affecting non-financial matters) and Senate Bill 11 (School Safety and Mental Health). Both pieces of legislation are extensive and will require ongoing interpretation and involvement of the district in rulemaking and other activities.

The document has three key features that should help the reader:

- a table of contents with headings that may provide key words and bill subjects;
- bill summaries by subject area; and
- an index of bills by bill number.

The bill summaries are written in a common format with the:

- bill number (hyperlinked to the legislative website for copies of the bills and bill history);
- the bill caption;
- staff analysis/summary; and
- effective date(s).

In many cases, a bill may be listed under one category but may affect other categories. For example, many bills have internet posting requirements, but do not fall under Administration. Staff suggests using the table of contents and word searches to identify bills that may have cross-departmental implications.

Finally, to all the Austin ISD staff who throughout the session provided reviews of bills, identified intended and unintended consequences of proposed legislation, and testified before legislative committees, **Thank You!** You were part of a team that tracked and reviewed over 800 bills, testified at weekly legislative hearings and responded to legislative and public requests for information.

# Table of Contents

<b>INTRODUCTION/USING THIS DOCUMENT</b> .....	<b>2</b>
<b>BILLS BY SUBJECT AREA</b> .....	<b>8</b>
<b>Accountability and Assessment</b> .....	<b>8</b>
Changing Assessment Frequencies and Methodologies; Moving Toward Electronic Administration (HB 3906) .....	8
Extending Individual Graduation Committees to September 1, 2023 (SB 463) .....	9
Expanding Provisions for the Granting of Posthumous High School Diplomas (HB 638) .....	9
Providing Data to School Districts on Higher Education Readiness Prior to Accountability Ratings (HB 3011) .....	9
Expanding TEA Requirements for Data Transparency (HB 3007) .....	10
Excluding Hospitalized Students from Drop-Out Calculations (HB 330) .....	10
Including Questions from U.S. Civics Test on U.S. History End-of Course Assessment (HB 1244) .....	10
Expanding PEIMS Reporting – Truant Students and Hard of Hearing/Deaf Students (HB 548) .....	10
<b>Administration</b> .....	<b>12</b>
Changing Certain Reporting and Notice Requirements, Including Charter School Notices (SB 668) ..	12
Training Trustees and Superintendents on Sexual Abuse and Human Trafficking (HB 403) .....	12
Prescribing Certain Internet Posting Requirements (HB 305) .....	13
<b>At-Risk Students</b> .....	<b>14</b>
Prohibiting Out of School Suspensions of Homeless Students (HB 692) .....	14
Addressing the Discipline of Students in Foster Care or Homeless in Student Code of Conduct (HB 811) .....	14
Establishing Purple Star Campuses to Help Military-Connected Students (SB 1557).....	14
Expanding the Definition of At-Risk Students to Include Consideration of Student or Parent Incarceration (SB 1746).....	15
<b>Athletics</b> .....	<b>16</b>
Providing Cardiac Assessments to Student Athletes (HB 76) .....	16
Allowing a School Nurse to Serve on a Concussion Oversight Team (HB 961) .....	16
<b>Attendance/Enrollment</b> .....	<b>17</b>
Expanding Student Admission Based on a Portion of a Homestead (HB 2526) .....	17
Establishing Residency for Children of Members of the Military (HB 1597).....	17
Classifying Students by Census Block (HB 3) .....	17
<b>Board Governance</b> .....	<b>18</b>
Prohibiting Felons from Serving on a School Board (SB 2283) .....	18

Providing Any Member of the Public the Right to Address the Board on an Agenda Item (HB 2840)	18
Posting Trustee Contact Information on the Internet (HB 963)	18
<b>Bonds/Ballots</b>	<b>19</b>
Requiring a Trustee Meeting to Reprogram Unspent Bond Funds (HB 440)	19
Requiring Specific Bond Ballot and Voter Education Information (HB 477)	19
Requiring Separate Bond Propositions for Certain Facilities (SB 30)	20
Requiring Notice of Tax Increase on Bond Ballots (HB 3)	20
<b>Counseling</b>	<b>21</b>
Informing High School Students About College Credits Available for Military Service (HB 114)	21
Exempting Individuals with Certain Scores on GED from the Texas Success Initiative Assessment (HB 1891)	21
<b>Career and Technical Education</b>	<b>22</b>
Review of CTE curricula by SBOE (HB 963)	22
<b>Curriculum, Teaching and Other Educational Services</b>	<b>23</b>
Requiring Character Education as Part of TEKS (HB 1026)	23
Establishing Common Strategies and Alignments in Agreements for Dual Credit (SB 1276)	23
Expanding Elementary School Foreign Language Credit to Include American Sign Language (HB 678)	23
Allowing Students to Concurrently Enroll in Algebra I and Geometry (SB 1374)	24
Notifying Parents About the Implications of Not Completing Algebra II (SB 232)	24
Allowing Teachers to Deviate from Prescribed Curriculum (HB 4310)	24
Encouraging the Use of Low-Cost Instructional Materials in Dual Credit Programs (HB 3650)	24
Expanding Computer Science TEKS and Creating Advisory Board (HB 2984)	25
Establishing Early Childhood Literacy and Mathematics Proficiency Plans (HB 3)	25
Establishing College, Career and Military Readiness Plans (HB 3)	25
Providing Printed Instructional Materials to Students Without Internet (HB 391)	25
<b>Construction</b>	<b>26</b>
Notifying the Commissioner of Education of Construction-related Lawsuits (HB 1734)	26
Allowing Contractors to Undertake Repairs Prior to Lawsuit (HB 1999)	26
<b>Discipline</b>	<b>27</b>
Posting on the District Website Contact Information for Individuals Responsible for Campus Level Discipline (SB 1306)	27
Removing Brass Knuckles and Clubs from Penal Code as Prohibited Weapon (HB 446)	27

Disciplining Students Who Commit Harassment Against District Employees (SB 2432) .....	27
Modifying Reporting Requirements for School Disciplinary Action (HB 65) .....	28
Providing Educational Materials to Suspended Students (HB 3012) .....	28
Developing and Implementing a Plan for Student Transitioning from Alternative Education Programs (HB 2184) .....	28
<b>Finance.....</b>	<b>29</b>
Funding Education; the State Budget (HB 1) .....	29
Providing Supplemental Appropriations for TRS and School Safety (SB 500) .....	29
Overhauling the School Finance System (HB 3) .....	30
Requiring Efficiency Audit and Other TRE Requirements (HB 3) .....	33
Increasing Distributions from Permanent School Fund - Constitutional Amendment (HJR 151) .....	33
Increasing Distributions from Permanent School Fund - Enabling Legislation (HB 4611) .....	33
Establishing a Liquid Funds Account within the Permanent School Fund (HB 4388) .....	34
Property Tax Reform (SB 2) .....	34
Increasing Contributions to TRS (SB 12) .....	34
Exempting District Financial Officers from Training in Certain Circumstances (HB 293) .....	35
Buying Inventory Management Software with Instructional Materials Allotment Funds (HB 396) ..	35
<b>Food Service.....</b>	<b>36</b>
Updating Guidelines for Students with Food Allergies (SB 869) .....	36
<b>Law Enforcement .....</b>	<b>37</b>
Defining the Responsibilities of District Police Officers and School Resource Officers (SB 1707) .....	37
Expanding Information Sharing Among Law Enforcement to Allow for the Development of Threat Assessments (SB 2135) .....	37
Using Crime Stopper Information at School Districts (HB 3316) .....	38
Prohibiting the Regulation of Gun Storage in Cars on School Property (HB 1143) .....	38
Prohibiting Aversive Techniques to Manage Student Behavior (HB 3630) (SB 712) .....	38
Authorizing the Use of Epinephrine Auto-Injectors by District Peace Officers (SB 1827) .....	39
<b>Open Records/Open Meetings.....</b>	<b>40</b>
Clarifying/Expanding Open Records Requirements (SB 944) .....	40
Reinstating the Prohibition Against Walking Quorum (SB 1640) .....	40
<b>Personnel.....</b>	<b>41</b>
Removing TRS Oversight of 403 (b) Providers (HB 2820) .....	41
Changing Requirements for Teaching Certificates (HB 3217) .....	41

Expanding Staff Training to Address Sexual and Other Forms of Abuse in Students with Significant Cognitive Disabilities (HB 111) .....	41
Providing an Exception from Educator Misconduct Reporting (SB 1476) .....	42
Addressing a Reduction in Service Days if the Number of Instructional Days is Less Than 180 Days (SB 2073) .....	42
Providing SEL and Mental Health Information Through Texas OnCourse (SB 504).....	42
Establishing a Micro-Credentialing Program (HB 2424) .....	43
Prohibiting Consequences to Teachers for Disciplinary Referrals (SB 1451) .....	43
Establishing a No Hire Registry (HB 3) .....	43
Providing for a Local Option Teacher Program (HB 3).....	44
<b>PreK and Early Childhood.....</b>	<b>45</b>
Continuing the Eligibility for Free Prekindergarten Without Requalifying (SB 1679).....	45
Increasing Coordination Among Districts, TEA, TWC and the Childcare Providers (HB 680).....	45
Requiring All Districts to Offer Pre-K to 4 year-olds (HB 3).....	45
<b>School Safety .....</b>	<b>46</b>
Promoting School Safety and Student Mental Health (SB 11) .....	46
Requiring an Active Shooter Plan and Training (HB 2195).....	51
Providing and Training in the Use of Bleeding Control Stations (HB 496) .....	51
<b>Special Education .....</b>	<b>53</b>
Expanding Notice of Special Education Evaluations (SB 139) .....	53
Changing IEP Provisions for Students with Visual Impairments (SB 522) .....	53
Expanding Opportunities for Special Education Students to Earn High School Endorsements (HB 165) .....	54
Expanding TEA Oversight of Dyslexia Screening and Notice of the Availability of Free Audiobooks (SB 2075) .....	54
<b>Student Health.....</b>	<b>55</b>
Addressing Student Mental Health (HB 18) .....	55
Hiring Nonphysician Mental Health Professional Help to Assist Districts (HB 19) .....	56
Establishing a Task Force to Study School Mental Health Services (HB 906).....	56
Requiring SHACs to Make Recommendations About Opioid Abuse/Treatment (SB 435) .....	57
Providing Seizure Care and Training (HB 684).....	57
Providing Asthma Medicine on Campuses (HB 2243) .....	57
Making Audiology Services Provided by Schools Medicaid Eligible (HB 706) .....	58
<b>Technology.....</b>	<b>59</b>

Establishing a Cybersecurity Policy (SB 820) ..... 59

**Transportation ..... 60**

    Banning Photographic Traffic Enforcement (HB 1631) ..... 60

    Requesting a Change in Speed Limits Near Schools (HB 3871) ..... 60

**Unfunded Mandates ..... 61**

    Using the Regional Service Center Annual Evaluation to Compile Information on Burdensome and Expensive State Laws (HB 674) ..... 61

    Eliminating Certain Mandates (SB 1376) ..... 61

**INDEX OF BILLS..... 62**

## **BILLS BY SUBJECT AREA**

### **Accountability and Assessment**

#### **Changing Assessment Frequencies and Methodologies; Moving Toward Electronic Administration (HB 3906)**

[HB 3906](#) (Huberty) Relating to the assessment of public school students, including the development and administration of assessment instruments, and technology permitted for use by students.

The bill establishes as state policy that the statewide assessment program be designed to provide assessment instruments that are as short as practicable and minimize disruptions to educational programs.

To that end, the bill:

- Authorizes the State Board of Education, to determine by rule, what math assessments in grades 3 through 8 may be administered with the use of technology; the end of course assessment for Algebra I may include one or more parts that prohibit the use of technology.
- Eliminates STAAR stand-alone grade 4 and 7 writing tests and adds questions related to writing TEKS; spelling and grammar are added to the grade 4 and 7 reading tests.
- Prohibits assessments from having more than three parts.
- Appears to increase testing time, although IGR staff have heard that is not the bill author's intent. For grades 3 and 4, 85 percent of the students must complete a part of the assessment within 60 minutes; for grades 5 through 8, 85 percent of the students must complete a part of the assessment within 75 minutes. However, the bill appears to increase testing time from 120 minutes to 180 minutes (3 x 60 minutes) for students in grades 3 and 4 and to 225 minutes (3 x 75 minutes) for students in grades 5 through 8.
- Allows assessments, including end-of-course assessments, to be administered in parts over multiple days. (The bill allows for the negation of this allowance if it is contrary to federal law or an advisory committee established by the bill determines it is not valid or reliable.) Limits on testing times do not apply to writing assessments performed under portfolio method used to assess writing.
- Extends the writing pilot and allows writing assessment participants to utilize the portfolio assessment method rather than relying on a single day assessment.
- Prohibits assessments of kindergarteners except for the purpose of determining whether a student is eligible for Foundation School funding.
- Prohibits the administration of an assessment on the first instructional day of the week.
- Starting in SY 2022 -2023, an assessment for grades 3 – 8 and EOCs may not present more than 75 percent of questions on an assessment as multiple choice questions.

The bill establishes two advisory committees on assessments --- a technical advisory committee composed of experts in educational assessment and psychometrics and an advisory committee composed of educators with expertise in curriculum development.



The bill requires TEA to implement a plan to transition to electronic administration of assessment by SY 2022-2023. In developing the plan, TEA is required to evaluate such factors as availability of the internet at each school district across the state and any changes that would improve internet access. TEA must submit the plan to the governor and legislative leaders no later than December 1, 2020 to ensure legislative review and approval.

Effective date: Immediately. Implementation deadlines are addressed in the bill summary narrative.

### **Extending Individual Graduation Committees to September 1, 2023 (SB 463)**

[SB 213](#) (Seliger) Relating to the use of individual graduation committees and other alternative methods to satisfy certain public high school graduation requirements.

The bill extends the Individual Graduation Committees put in place in 2015 by SB 149 until September 1, 2023.

Effective Date: Immediately.

### **Expanding Provisions for the Granting of Posthumous High School Diplomas (HB 638)**

[HB 638](#) (Capriglione) Relating to the issuance of posthumous high school diplomas to certain students.

The bill requires the district to issue the posthumous diploma at the end of the school year in which the student was expected to graduate under the regular schedule of school attendance. The bill applies to a student who would have graduated at the end of School Year 2019 -2020.

Effective Date: Immediately.

### **Providing Data to School Districts on Higher Education Readiness Prior to Accountability Ratings (HB 3011)**

[HB 3011](#) (Chris Turner) Relating to requiring the Texas Higher Education Coordinating Board to provide to a school district certain information used in determining academic accountability ratings for the district.

The bill requires that the Texas Higher Education Coordinating Board release to school districts prior to TEA's release of campus and districtwide accountability ratings a copy of all source data provided to TEA.

Effective Date: September 1, 2019. Applies beginning SY 2019-2020.

## **Expanding TEA Requirements for Data Transparency (HB 3007)**

[HB 3007](#) (Chris Turner) Relating to requiring the Texas Education Agency to provide to a school district certain information used in determining academic accountability ratings for the district.

The bill requires TEA to provide to a district, before the initial release of accountability ratings for a school year, a copy of all source data submitted to TEA by entities other than the district.

Effective Date: September 1, 2019. Applies beginning SY 2019 – 2020.

## **Excluding Hospitalized Students from Drop-Out Calculations (HB 330)**

[HB 330](#) (VanDeaver) Relating to excluding certain students from the computation of dropout and completion rates for purposes of public school accountability.

The bill requires TEA, in calculating drop-out rates, to exclude from the calculation students who have suffered a condition, injury or illness that requires substantial medical care and leaves the student unable to attend school and who is in a medical or residential treatment facility.

Effective: Immediately. Applies beginning SY 2019-2020.

## **Including Questions from U.S. Civics Test on U.S. History End-of Course Assessment (HB 1244)**

[HB 1244](#) (Ashby) Relating to the United States history end-of-course assessment instrument administered to public high school students and reporting requirements for that assessment instrument.

The bill requires that the U.S. History end-of-course assessment include ten randomly selected questions from the civics test administered by US Citizenship and Immigration Services. TEA must assure that the questions align with the U.S. History TEKS. TEA is required to report annually on student performance on the ten questions.

Effective Date: Immediately. Applies beginning SY 2019-2020.

## **Expanding PEIMS Reporting – Truant Students and Hard of Hearing/Deaf Students (HB 548)**

[HB 548](#) (Canales) Relating to reporting certain information through the Public Education Information Management System.

The bill requires that districts report through PEIMS disaggregated campus and grade data that includes:

- The number of students who are required to attend school and have 10 or more unexcused absences in a six-month period within the same school year;
- The number of students against whom the district has initiated truancy prevention measures; and

- The number of parents against whom the district has filed a complaint for contributing to the students' nonattendance.

TEA is required to develop rules implementing this section by January 1, 2020.

The bill also requires TEA and the Health and Human Services Commission (HHSC) to develop a report on language acquisition in students who are age eight or less, and are deaf and hard of hearing. The report would include information such as instructional arrangements, time spent providing services, use/type of amplification devices, and tools and assessments used to gauge performance. The TEA and HHSC must execute a MOU to implement the bill. TEA will use existing data collected through PEIMS to assist HHSC develop the report. TEA and HHSC will jointly develop any rules necessary to implement the bill.

The bill requires TEA and HHSC to determine by December 1, 2019 the tools and assessments needed. The initial report would need to be published by December 1, 2020.

Effective Date: September 1, 2019.

## Administration

### Changing Certain Reporting and Notice Requirements, Including Charter School Notices (SB 668)

[SB 668](#) (Hughes) Relating to data collection, reporting, and notice requirements for certain educational entities.

The bill reduces duplicative reporting, changes state statute to conform to federal statute, and adds notice provisions for charter schools. Specifically, the bill:

- requires the TEA commissioner to allow by rule a charter holder to provide written notice to the commissioner of a new open-enrollment charter up to 18 months before the campus opening;
- adds superintendents to the list of persons who are notified when TEA is in receipt of a charter school application or amendment;
- changes the definition of “homeless” to conform with federal statute;
- changes the way the perseverance of beginning teachers is determined from a system based on data reported to the Teacher Retirement System to data provided through PEIMS;
- removes June 1 as the deadline for the district to make a requisition for instructional material;
- removes the requirement that TEA be informed of the use of epinephrine auto-injectors;
- removes the requirement that energy efficient light bulbs must be purchased;
- repeals requirements that TEA take certain actions recognizing high school completion;
- repeals requirements that TEA act as clearinghouse for information about best practices at campuses and districts; and
- removes the requirement that the district record electricity, water and natural gas consumption, and post that information on its website.

Effective Date: Immediately. Applies beginning SY 2019-2020.

### Training Trustees and Superintendents on Sexual Abuse and Human Trafficking (HB 403)

[HB 403](#) (Thompson, Senfronia) Relating to training requirements for a member of the board of trustees and the superintendent of an independent school district regarding sexual abuse, human trafficking, and other maltreatment of children.

The bill requires that trustees complete one hour of training every two years regarding the sexual abuse, human trafficking and other maltreatment of children. Superintendents will have to complete training every 2 ½ years.

Effective Date: September 1, 2019.

## **Prescribing Certain Internet Posting Requirements (HB 305)**

[HB 305](#) (Paul) Relating to the requirement that certain political subdivisions with authority to impose a tax post certain information on an Internet website.

The bill requires the district to post on its website the following information:

- the district's general contact information (address, phone number, email address);
- the name of the trustees;
- the date and location of the next election of the trustees;
- the filing deadline and requirements for election;
- each notice of an open meeting of the trustees; and
- minutes or recordings of open meetings of the trustees.

Effective Date: September 1, 2019.

## At-Risk Students

### Prohibiting Out of School Suspensions of Homeless Students (HB 692)

[HB 692](#) (White) Relating to the suspension of a student who is homeless from public school.

The bill prohibits school districts from placing a homeless student in out-of-school suspension and requires campuses to work with a district's homeless education liaison to identify alternatives to such suspensions.

Effective Date: Immediately. Applies beginning SY 2019-2020.

### Addressing the Discipline of Students in Foster Care or Homeless in Student Code of Conduct (HB 811)

[HB 811](#) (White) Relating to determining appropriate disciplinary action to be taken against a public school student who is in foster care or who is homeless.

The bill requires that school districts consider a student's status as being in foster care or homeless as factors in determining decisions regarding suspension, removal, and other forms of disciplinary procedures. The disciplinary procedures for this subset of students would have to be incorporated into the district's student code of conduct.

Effective Date: Immediately. Applies beginning SY 2019-2020.

### Establishing Purple Star Campuses to Help Military-Connected Students (SB 1557)

[SB 1557](#) (Lucio) Relating to military-connected students, including providing a designation for certain school district campuses that take actions to assist those students.

The bill allows campuses to apply to TEA to become a "Purple Star Campus." A Purple Star Campus supports students of members of the military by designating a staff member as a military liaison whose duties include:

- Identifying military connect families at the campus through use of PEIMS data;
- Serving as a point of contact between the campus and the military-connected families;
- Determining appropriate campus services available to military-connect students; and
- Assisting in coordinating campus programs relevant to military-connected students.

A Purple Star Campus would also have to maintain a website with information that would benefit military-connected families, such as relocation, registration, and records transfer information; counseling and support; and academic planning.

Effective Date: Immediately. Applies beginning SY 2019-2020.

## **Expanding the Definition of At-Risk Students to Include Consideration of Student or Parent Incarceration (SB 1746)**

[SB 1746](#) (Miles) Relating to the inclusion of certain students as students at risk of dropping out of school.

The bill would expand the definition of at-risk students to include students who have been incarcerated, or who have had, at any point in their lives, a parent or guardian who has been incarcerated.

Effective Date: Immediately.

## Athletics

### Providing Cardiac Assessments to Student Athletes (HB 76)

[HB 76](#) (Huberty) Relating to cardiac assessments of high school participants in extracurricular athletic activities sponsored or sanctioned by the University Interscholastic League.

The bill requires the district to provide:

- Information to student athletes about sudden cardiac arrest and electrocardiogram testing; and
- Notification of the option of the student to request an EKG in addition to a UIL required physical exam.

A student may request an EKG from any healthcare professional, including his/her primary care physician or healthcare professionals hired by the district.

The bill authorizes the University Interscholastic League (UIL) to adopt rules implementing the bill, if necessary.

While not explicitly requiring the district to provide EKGs, it does create a burden on families without access to primary care physicians or other healthcare providers. Thus it creates a potential barrier to participation in sports to low-income students, or students without health insurance.

District Athletic Staff indicate that this legislation could potentially affect 8,000 students over the course of two years. District Student Health staff note that without the voluntary participation of large providers, who may not actually have capacity, the district would provide EKGs to low-income students, and it would be costly.

Effective Date: September 1. Applies beginning SY 2019-2020.

### Allowing a School Nurse to Serve on a Concussion Oversight Team (HB 961)

[HB 961](#) (Howard) Relating to the membership and training course requirements of a public school concussion oversight team and the removal of a public school student from an interscholastic athletic activity on the basis of a suspected concussion.

The bill allows school nurses to serve on concussion oversight teams, and requires them to take a training class on concussions every two years.

Effective Date: Immediately.



## Attendance/Enrollment

### Expanding Student Admission Based on a Portion of a Homestead (HB 2526)

[HB 2526](#) (Leach) Relating to criteria for admission of certain students into public schools.

The bill requires the district to admit a student if any part of the student's or parent's residence homestead property is located within the district.

Effective Date: Immediately.

### Establishing Residency for Children of Members of the Military (HB 1597)

[HB 1597](#) (Lambert) Relating to establishing residency for purposes of admission into public schools.

The bill allows members of the military or reserves to meet the residency requirements for their dependents upon receiving orders indicating they are stationed in or adjacent to the district. They would have to provide to the district a copy of the orders within 10 days of arrival.

Analyses of the bill by legislative staff and the [House Research Organization](#) indicate that the purpose of the bill is to allow dependents of members of the military to qualify for residency immediately upon their guardian receiving orders, not upon actual arrival, thus allowing them the right to enroll in classes, etc., prior to their physical arrival within the district.

Effective Date: Immediately. Applies beginning SY 2019-2020.

### Classifying Students by Census Block (HB 3)

Physical addresses of students will likely need to be gathered during the enrollment process to comply with provisions of [HB 3](#) that weight the Compensatory Allotment (pages 49 – 57, enrolled version) and Teacher Incentive Pay (pages 68 -71, enrolled version) based on residency of a student in a census block.

## Board Governance

### Prohibiting Felons from Serving on a School Board (SB 2283)

[SB 2283](#) (Campbell) Relating to the eligibility of persons convicted of certain offenses to serve as a member of a board of trustees of a school district.

The bill prohibits felons from serving on a school board.

Effective Date: September 1, 2019. The bill applies only to an individual who is elected to serve on or after the effective date of the bill.

### Providing Any Member of the Public the Right to Address the Board on an Agenda Item (HB 2840)

[HB 2840](#) (Canales) Relating to the right of a member of the public to address the governing body of a political subdivision at an open meeting of the body.

The bill requires the district to allow any member of the public to address the board during an open meeting on an item under consideration at that meeting before or during the body's consideration of the item. In effect, the district could not limit the number of speakers.

The district may establish reasonable limits, including the amount of time a person can speak. The district must accommodate, by providing more time, individuals requiring interpretation, if that interpretation is not simultaneous.

The district cannot prohibit public criticism at meeting.

Effective Date: September 1, 2019.

### Posting Trustee Contact Information on the Internet (HB 963)

[HB 963](#) (Bell, Cecil) Relating to the availability of school district trustee information on the Internet and a review of the essential knowledge and skills of certain curricula.

The bill requires the district to post trustee contact information and term on the district's website.

Another portion of the bill deals directly with CTE and the SBOE. That portion of the bill is summarized under the CTE Section of this document.

Effective Date: Immediately.

## Bonds/Ballots

### Requiring a Trustee Meeting to Reprogram Unspent Bond Funds (HB 440)

[HB 440](#) (Murphy) Relating to general obligation bonds issued by political subdivisions.

The bill allows the use of unspent bond funds under certain conditions. The district may use bond funds if the original purpose of the bonds were accomplished or abandoned and the board of trustees, in a separate open meeting, considers the use of the funds.

The board must specifically consider whether to spend the proceeds of unspent bond funds on 1) a purpose other than to retire the bond, and 2) the purpose specified at the time of the bond passage. The public meeting held for the purpose of considering unspent bond funds must specifically state that the board will consider the use of unspent bond funds on a purpose other than the specific purpose of the bonds. The board must also take public comment at the posted meeting.

The district would be prohibited from issuing bonds in excess of 120 percent of the reasonably expected average life of the improvement purchased with the bond.

Effective Date: September 1, 2019.

### Requiring Specific Bond Ballot and Voter Education Information (HB 477)

[HB 477](#) (Murphy) Relating to the notice required before the issuance of certain debt obligations by political subdivisions.

The bill requires prescriptive ballot language describing debt purpose, total principal, and expected taxes to be imposed.

It requires that the district produce a posted voter information document containing substantially more financial information than what appears on the ballot including:

- The total principal amount of outstanding debt obligations of the district;
- The estimated remaining interest on all outstanding debt;
- The combined principal and interest required to pay off all debt;
- The estimated maximum annual increase in the amount of taxes imposed on a homestead of \$100,000; and
- Any other information the district deems necessary to explain the bond proposition.

The bill requires the district to explain the assumptions behind debt and interest calculations, such as changes in estimated appraised values and anticipated interest rates.

The bill requires the district to post the ballot language and the voter information document on the district's website no later than 21 days before the election.

Effective Date: September 1, 2019.

## **Requiring Separate Bond Propositions for Certain Facilities (SB 30)**

[SB 30](#) (Birdwell) Relating to ballot language requirements for a proposition seeking voter approval for the issuance of bonds.

The bill allows the district to submit to voters a single bond proposition, except for certain item. Items requiring a separate bond proposition include:

- Stadiums with seating of 1,000 or more spectators;
- Natatoriums;
- Recreational facilities other than a gym, playground or play area;
- Performing arts centers;
- Teacher housing;
- Technology, other than safety equipment and technology used in the construction of a facility.

The bill requires that items listed above be included as a separate proposition, regardless of whether they are part of a single building or multi-building complex.

Note: The district has been informed that items such as weight rooms, locker rooms, school auditoriums, and practice fields may be considered integral to a building and not require a separate proposition. However, such a determination must be made by the Attorney General or the courts.

Effective Date: September 1, 2019

## **Requiring Notice of Tax Increase on Bond Ballots (HB 3)**

[HB 3](#) (page 13, lines 22-23, enrolled version) requires that a bond ballot proposition contain the following statement: "THIS IS A PROPERTY TAX INCREASE."

## Counseling

### **Informing High School Students About College Credits Available for Military Service (HB 114)**

[HB 114](#) (White) Relating to providing public high school students information regarding the availability of college credit awarded for military experience, education, and training obtained during military service.

The bill requires school counselors, beginning in SY 2020-2021, to inform high school students annually about the availability of college credit awarded by institutions of higher education to veterans and military service members for military experience, education, and training obtained during military service. The Texas Workforce Commission and Texas Higher Education Coordinating Board are required to develop informational materials to support districts.

Effective Date: Immediately.

### **Exempting Individuals with Certain Scores on GED from the Texas Success Initiative Assessment (HB 1891)**

[HB 1891](#) (Stucky) Relating to an exemption from the assessment requirements of the Texas Success Initiative for students who achieve a certain score on a high school equivalency examination.

The bill exempts individuals who achieve a certain score, set by the Higher Education Coordinating Board, on the high school equivalency exam from the Texas Success Initiative assessment.

Effective Date: September 1, 2019. Applies beginning in the Fall Semester 2020.

## Career and Technical Education

### Review of CTE curricula by SBOE (HB 963)

[HB 963](#) (Bell, Cecil) Relating to the availability of school district trustee information on the Internet and a review of the essential knowledge and skills of certain curricula.

The bill requires the SBOE to conduct a study of the CTE TEKS, and update the Texas Administrative Code to reduce duplication.

Another portion of this bill addresses posting of Board of Trustee information on the internet. That section is addressed under Board Governance.

Effective Date: Immediately. The SBOE must complete its study and update of the Texas Administrative Code by March 1, 2020.

## Curriculum, Teaching and Other Educational Services

### Requiring Character Education as Part of TEKS (HB 1026)

[HB 1026](#) (Bohac) Relating to instruction in positive character traits in public schools.

The bill requires the State Board of Education to integrate into the TEKS positive character traits for grades K – 12. Previously, school districts were permitted to incorporate character education into curricula.

The bill requires the district to adopt a character education program consistent with the TEKS requirements. The SBOE may adopt rules necessary to implement the bill.

Effective Date: Immediately. Applies beginning SY 2019-2020.

### Establishing Common Strategies and Alignments in Agreements for Dual Credit (SB 1276)

[SB 1276](#) (Powell) Relating to an agreement between a school district and public institution of higher education to provide a dual credit program to high school students enrolled in the district.

The bill requires that any agreement between a district and an institution of higher education for dual credit programs contain the following provisions:

- Establish common advising strategies and terminology;
- Provide for alignment of endorsements offered by the district and dual credit courses offered under the agreement that apply towards those endorsements, with postsecondary pathways and credentials offered at the institution and those industry certifications; and
- Identify tools, including tools developed by TEA, THECB and TWC, to assist school counselors, students, and families in selecting endorsements offered by the district and dual credit offered by the institution of higher education.

Effective Date: Immediately. Applies to dual credit program agreements entered or renewed on or after September 1, 2019.

### Expanding Elementary School Foreign Language Credit to Include American Sign Language (HB 678)

[HB 678](#) (Guillen) Relating to the public high school graduation credit requirements for a language other than English.

The bill expands the foreign language graduation credit that a student can earn at the elementary level (currently limited to one credit earned for participating in a dual language immersion program) to allow students to earn one credit for American Sign Language.

Effective Date: Immediately.

## **Allowing Students to Concurrently Enroll in Algebra I and Geometry (SB 1374)**

[SB 1374](#) (Paxton) Relating to the sequencing of certain required mathematics courses in public schools.

The bill allows a student to enroll concurrently in Algebra I and Geometry.

Effective Date: Immediately. Applies beginning SY 2019-2020.

## **Notifying Parents About the Implications of Not Completing Algebra II (SB 232)**

[SB 232](#) (Menéndez) Relating to parental notification by a school district regarding high school graduation requirements.

The bill requires school districts to notify parents or guardians of a high school student that Algebra II is not required to graduate. Notice may be provided via email or mail.

The notification must include information about the possible consequences of not completing Algebra II, including consequences for college admission and college financial aid.

Effective Date: Immediately. Applies beginning SY 2019 – 2020.

## **Allowing Teachers to Deviate from Prescribed Curriculum (HB 4310)**

[HB 4310](#) (Dutton) Relating to a school district's scope and sequence for subjects in the required curriculum for public school students.

The bill requires:

- districts to provide enough time to educators to teach and students to learn the TEKs for a subject and grade level;
- prohibits a district from penalizing a teacher, except under certain conditions, if the teacher does not follow a recommended scope and sequence and if the teacher determines that students need more or less time to demonstrate proficiency in a particular area; and
- allows districts to take appropriate action if a teacher deviates from a prescribed scope and sequence and third-party evidence indicates that there is a deficiency in instruction.

Effective Date: Immediately. Applies beginning SY 2019-2020.

## **Encouraging the Use of Low-Cost Instructional Materials in Dual Credit Programs (HB 3650)**

[HB 3650](#) (Chris Turner) Relating to an agreement between a school district and public institution of higher education to provide a dual credit program to high school students enrolled in the district.

The bill requires school districts and colleges entering into a new dual credit agreement to consider the use of free or low-cost instructional materials. Analysis by others indicates that this may be a result of rising textbook costs. Austin ISD currently provides the textbooks for students in dual credit courses.

Effective Date: Immediately.



## **Expanding Computer Science TEKS and Creating Advisory Board (HB 2984)**

[HB 2984](#) (Allison) Relating to the essential knowledge and skills of the technology applications curriculum and the establishment of a computer science strategic advisory committee to increase computer science instruction and participation in public schools.

The bill requires the SBOE to adopt, for students K through 8, TEKS for the state technology application curriculum and include coding, computer programming, computational thinking and cybersecurity. The SBOE is required to review the new curriculum every five years to ensure that it remains relevant.

The bill also establishes the computer science advisory committee to provide recommendations for increasing computer science instruction and participation. The bill describes a diverse membership, and requires that the committee provide a report to state leadership by September 1, 2020.

The SBOE is only required to implement the bill if money is appropriated for the bill. However, the SBOE may implement the bill if it desires to do so out of available funds.

Effective Date: Immediately.

## **Establishing Early Childhood Literacy and Mathematics Proficiency Plans (HB 3)**

[HB 3](#) (page 189, enrolled version) requires the board of trustees to adopt and post on the district's website early childhood and mathematics proficiency plans. The bill requires the plans to set specific annual goals for five years for each campus. The bill describes additional information that must be included in the plans.

## **Establishing College, Career and Military Readiness Plans (HB 3)**

[HB 3](#) (page 191, enrolled version) requires the board of trustees to adopt college, career and military plans that set specific annual goals over a five-year period. The plans must measure student college, career and military readiness at each campus. The bill describes additional information that must be included in the plans.

## **Providing Printed Instructional Materials to Students Without Internet (HB 391)**

[HB 391](#) (Blanco) Relating to student access to public school instructional materials and technology.

The bill requires the district to provide to students without internet access instructional materials in printed form, including materials available online. The material available online can be printed by the district and distributed to the student. The district is not required to purchase printed materials if it was not otherwise going to do so.

Effective Date: Immediately. Applies beginning SY 2019-2020.

## Construction

### Notifying the Commissioner of Education of Construction-related Lawsuits (HB 1734)

[HB 1734](#) (Holland) Relating to litigation involving certain defects in school district facilities and enforcement of certain duties following that litigation; authorizing a civil penalty.

The bill requires that a district that files a lawsuit over a construction defect notify the TEA commissioner of the legal action with 30 days of filing. The bill requires the notice to include a copy of the lawsuit and an itemized list of defects. The bill allows the TEA to join the lawsuit if part of the building was funded by the Instructional Facilities Allotment.

The bill requires that the district use any proceeds from the lawsuit on the repairs to the facility or as a reimbursement for the cost of repairs, if they were already undertaken. The district is required to provide to TEA an accounting of repair cost.

The bill gives the attorney general authority to intervene, with two weeks' notice, and seek injunctive relief if a school district is violating provisions of the act, seek a fine up to \$20,000 and recover costs. The attorney general is required to provide on December 1 an annual report to state leadership documenting actions brought against school districts in the previous year.

Effective Date: September 1, 2019. The bill applies only to actions brought on or after September 1, 2019.

### Allowing Contractors to Undertake Repairs Prior to Lawsuit (HB 1999)

[HB 1999](#) (Leach) Relating to certain construction liability claims concerning public buildings and public works.

The bill requires the district, prior to suing a contractor, to provide a report to the contractor documenting construction defects. The contractor would be given the opportunity to inspect the defect and correct it within 120 days, or another mutually agreed upon timeframe.

The district is not required to give the contractor the opportunity to correct the defect if certain liability and insurance requirements can't be met by the contractor.

The bill allows the district to undertake emergency repairs necessary to protect the health, safety and welfare of the public. It also allows the district to recover the costs associated with developing the defect report.

Effective Date: Immediately. The act applies only to a cause of action occurring on after the effective date of the act.

## Discipline

### **Posting on the District Website Contact Information for Individuals Responsible for Campus Level Discipline (SB 1306)**

[SB 1306](#) (Kolkorst) Relating to requiring a school district to post on the district's Internet website the contact information of the school administrator primarily responsible for student discipline at a district campus.

If a district is designated a district of innovation, it must post on its website the contact information for the campus administrator(s) responsible for student discipline at each campus.

Note that some district campuses have multiple campus coordinators.

Effective Date: Immediately. Applies beginning SY 2019-2020.

### **Removing Brass Knuckles and Clubs from Penal Code as Prohibited Weapon (HB 446)**

[HB 446](#) (Moody) Relating to the criminal consequences of engaging in certain conduct with respect to certain instruments designed, made, or adapted for use in striking a person.

The bill would remove hard knuckles (brass knuckles, thick metal finger rings, etc.) and clubs from the Penal Code's definition of prohibited weapons. The bill affects the student code of conduct.

Effective Date: September 1, 2019.

### **Disciplining Students Who Commit Harassment Against District Employees (SB 2432)**

[SB 2432](#) (Taylor) Relating to the removal of a public school student from the classroom for certain conduct.

The bill requires that a student who commits harassment, as defined by Section 42.07 of the Penal Code, against a school district employee be removed from the classroom and sent to a disciplinary alternative education program.

Effective Date: September 1, 2019.

## **Modifying Reporting Requirements for School Disciplinary Action (HB 65)**

[HB 65](#) (Eric Johnson) Relating to reporting information regarding public school disciplinary actions.

The bill requires that the district report to TEA additional information about out-of-school suspensions including:

- student identifying information including race, sex and date of birth;
- information about the cause of the suspension;
- the number of partial and full days of the suspension; and
- the number of suspensions that were inconsistent with the student code of conduct.

Effective Date: Immediately. Applies beginning SY 2019-2020.

## **Providing Educational Materials to Suspended Students (HB 3012)**

[HB 3012](#) (Talarico) Relating to the disposition of certain students to alternative education settings and the provision of educational services to students in those settings or subject to in-school or out-of-school suspension.

The bill requires the district to supply to in-school or out-of-school suspended students instructional materials so they can complete their foundation curriculum classwork. The district must provide at least one option that does not require the use of internet materials.

Effective Date: Immediately. Applies beginning SY 2019-2020.

## **Developing and Implementing a Plan for Student Transitioning from Alternative Education Programs (HB 2184)**

[HB 2184](#) (Allen) Relating to a public school student's transition from an alternative education program to a regular classroom.

The bill requires that as soon as practicable after an alternative education program (disciplinary programs and juvenile justice programs) has determined the release date of a student, the program notify the student's anticipated home campus and parents.

The campus administrator is required to coordinate the student's transition based on recommendations from counselors, police officers, and others. The campus is required to establish a personalized transition plan that includes a recommendation for the best education placement and may include other recommendations such as counseling and referral to special education services. The campus administrator or designee is required to coordinate with the student's parent/guardian.

Effective Date: Immediately. Applies beginning SY 2019-2020.

## Finance

### Funding Education; the State Budget (HB 1)

[HB 1](#) (Zerwas) General Appropriations Bill.

The state budget bill appropriated approximately \$250.6 billion to fund state government, including education.

Budget highlights for education include:

- \$11.5 billion for HB 3
  - \$6.5 billion for increased school funding
  - \$5.0 billion for property tax relief
- \$230.8 million for TRS-Care
- \$100 million for School Safety in support of SB 11 (\$9.72 ADA, estimated)

Effective: September 1, 2019.

### Providing Supplemental Appropriations for TRS and School Safety (SB 500)

[SB 500](#) (Nelson) Relating to making supplemental appropriations and reductions in appropriations and giving direction, including direction regarding reimbursement, and adjustment authority regarding appropriations.

The bill is the supplemental appropriations bill to cover and address expenses occurring this fiscal year (FY 2019).

Provisions related to education include:

- an appropriation of \$589 million to TRS to provide one extra annuity payment to retirees;
- an appropriation of \$524 million to TRS to increase the actuarial soundness of TRS;
- an appropriation of \$100 million to TEA to provide funds for:
  - exterior doors with push bars;
  - metal detectors;
  - vehicle barriers;
  - security systems that monitor and record school entrances, exits and hallways;
  - campus-wide shooter alarm systems;
  - two-way radio systems;
  - perimeter fencing;
  - bullet resistant glass and films for school entrances; and
  - door locking systems.

Effective Date: Immediately.

## Overhauling the School Finance System (HB 3)

[HB 3](#) (Huberty) Relating to public school finance and public education; creating a criminal offense; authorizing the imposition of a fee.

The bill analysis contains two sections, 1) a financial summary and 2) a list of provisions with the page numbers of key sections in the enrolled version of the bill.

There are non-financial provisions in HB 3 that can be identified by scanning the list of provisions in the table. In a few places in this summary document, individual sections of HB 3 are analyzed in more detail and are placed under the appropriate subject heading.

### **Financial Summary**

- Investment of \$11.6 billion.
  - \$6.6 billion for public schools.
  - \$5 billion property tax compression.
- Recapture reduced by \$3.6 billion over biennium (47%).
- State's share of funding increased from 38% to 45%.
- Basic allotment, currently \$5,140, increased to \$6,160.
- Current year values will be used instead of prior year values. Some "savings" from the switch will be used to increase the basic allotment.
- 2 additional "golden pennies" (which will reduce AISD's recapture payment).
- Special education mainstream weight increased from 1.1 to 1.15.
- New dyslexia weight of 0.10.
- New dual language weight of 0.15 for ELLs and 0.05 for non-ELLs.
- Modified comp ed allotment to be based on 5 tiers relative to degree of poverty as measured by economically disadvantaged census block group. Current 0.2 will increase to a range of 0.225 to 0.275.
- Districts required to provide full-day pre-K to eligible 4-year olds.
  - May seek waiver for up to 6 years if seat availability is an issue.
  - Early education allotment provides funding.
- Weight of 0.1 for each economically disadvantaged and/or limited English proficient (LEP) students in K-3.
- Outcomes-based funding for Career, College & Military Readiness (CCMR) - \$5000 for disadvantaged students, \$3000 for non-disadvantaged students, \$2000 for SPED.
- Career Tech Education (CTE) includes 7-12 grades, rather than the current grades of 9-12.
- Recapture districts eligible for transportation funding, which will be based on miles travelled.
- Funding for optional additional 30 days of half-day instruction for students enrolled in PK-5.
- Formula transition grant to ease the transition to new formulas for next 5 years.
- New Instructional Facilities Allotment (NIFA) funding increased to \$100 million.
- Districts must use 30% of the increased formula funding to increase compensation for full-time employees, other than administrators. "Compensation" includes benefits, such as insurance premiums.

- 75% for increases to teachers, counselors, librarians, nurses, with priority for those with 5 or more years experience.
- 25% may be used for full-time employee compensation at the district’s discretion.
- Compresses tax rate from \$1.00 to \$0.93 on Tier I M&O.
- Increases copper penny yield from \$31.95 to 80% of the basic allotment (\$49.28)
- Creates Tax Reduction and Excellence in Education Fund (TREE) for tax relief and Tier I allotments costs. Uses \$300 million in sales tax revenue from the Wayfair ruling (allowing sales tax on national internet sales to Texans) and an additional \$300 million ASF revenue distribution for GLO portion of Permanent School Fund (depends on voter approval of HJR 151).

### **HB 3 Provisions**

To assist in the analysis of HB 3, the table below outlines key provisions by page number of the enrolled version of the bill.

Provision	Page # (enrolled version)
Efficiency Audit	1 -3
Ballot Language Tax Notice	13
Restriction on Maintenance Tax Levy	14 -15
Components of M & O Tax	15 -16
TREE (Tax Reduction and Excellence in Education Fund)	17-18
<b>Ch. 48 – Foundation School Program</b>	<b>18 - 122</b>
ADA (Includes Full-Day Pre-K)	22
Incentive for Additional Instructional Days	26 - 28
PEIMS (Includes adding pregnancy as reason for withdrawal)	30 - 33
TEA Commissioner to Resolve Unintended Consequences	34 - 35
Study on Geographic Education Cost Variations & Transportation Costs	35
<b>Basic Entitlement</b>	<b>36 - 40</b>
Basic Allotment	36 - 39
<b>Student-Based Allotments</b>	<b>40 - 71</b>
Special Education	45 - 47
Dyslexia or Related Disorders	47 - 48
Compensatory Education	49 - 57
Bilingual Education (Dual Language)	60 - 61
CTE (P-TECH)	61 - 63
Early Education Allotment	64 - 68
College, Career, Or Military Readiness Outcome Bonus	65 - 68
Fast Growth Allotment	68
Teacher Incentive Allotment	68 - 71
Mentor Program Allotment	71
<b>Additional Funding</b>	<b>72 - 81</b>
Transportation Allotment	72 - 77
NIFA	77 - 79
Dropout Recovery School & Residential Facility	79 - 80
College Preparation Assessment Reimbursement	80
Certification Examination Reimbursement	80 - 81
Tier Two Entitlement	81 - 86

<b>Provision</b>	<b>Page # (enrolled version)</b>
<b>Financing the Program</b>	<b>86 - 123</b>
State Compression Percentage	89 - 90
Local Share of Program Cost (Tier One)	90 - 92
Local Revenue in Excess of Entitlement	92 - 94
Excess Funds for Special Education Cameras (optional rule)	101 - 102
Formula Transition Grant	117 - 120
Equalized Wealth Transition Grant	120
Maintenance of State Support for Special Education	120 - 122
Subsidy for High School Equivalency Exam	123
<b>Chapter 49 – Options for Local Revenue in Excess of Entitlement</b>	<b>123 - 163</b>
Purchase of Attendance Credits	135 - 137
Payment (in one payment not later than Aug. 15 or monthly)	137
Enrichment Tax Rate	170 - 173
Escrow Holders Required Adjustment If Property Taxes Decrease	173 - 174
Property Tax Compression	175 - 176
Basic Allotment	177 - 180
State Compression Percentage	180 - 181
Maximum Compressed Tax Rate	181 - 183
Permitted Tax Rate for Maintenance of SY 2020-2021 Basic Allotment	184 - 185
Early Childhood Literacy & Mathematics Proficiency Plans	189 - 191
College, Career, and Military Readiness Plans	191 - 192
Teacher Certifications	194 - 195
Local Optional Teacher Designation System	196 - 197
Mentor Teacher	198 - 200
Autism Training	200
Reading Instruments & Test (Kindergarten)	200 - 203
Reading Standards for K – 3rd Grade	203 - 204
FAFSA Application Required for High School Graduation	205 - 208
Gifted & Talented	208 - 210
Pre-K	210 - 217
Summer Career & Technology Grant Program	218
Blended Learning Grant Program	218 - 221
Assessment Instrument Study (Lexile)	224 - 225
Employing, Terminating & Reporting Misconduct of Personnel	225 - 233
Persons Not Eligible for Employment in Public Schools	237 - 238
Requirement to Report Employee Misconduct	238 - 241
Notice of Alleged Misconduct; Investigation	241 - 243
Internet Portal	243 - 244
Report on Salary & Wages to be submitted to Legislature	303 - 304



## **Requiring Efficiency Audit and Other TRE Requirements (HB 3)**

HB 3 restricts the ability of districts to hold a tax ratification election (TRE) and requires an efficiency audit before the district seeks voter approval for a TRE.

TREs:

- Must be held on uniform election date;
- Are not allowed in 2019 and will hard be hard to administratively accomplish in 2020.

Efficiency Audit:

- Starting in tax year 2020, districts proposing a TRE must have a third party conduct an efficiency audit. This provision does not apply to charter schools.

## **Increasing Distributions from Permanent School Fund - Constitutional Amendment (HJR 151)**

[HJR 151](#) (Huberty) Proposing a constitutional amendment allowing increased distributions to the available school fund.

The proposed amendment to the Texas Constitution would allow for, but not require, discretionary distributions by both the School Land Board and the State Board of Education of up to \$600 million to the Available School Fund from revenue derived during each fiscal year from Permanent School Fund land or properties. Current law authorizes discretionary transfers of up to \$300 million annually only from the School Land Board.

Enabling Legislation is [HB 4611](#) (Huberty).

Election Date: November 5, 2019.

## **Increasing Distributions from Permanent School Fund - Enabling Legislation (HB 4611)**

[HB 4611](#) (Huberty) Relating to certain distributions to the available school fund.

The bill is the enabling legislation for the [HJR 151](#) (Huberty). The constitutional amendment would double the allowable, but not required, distributions from the Permanent School Fund to the Available School Fund from \$300 million to \$600 million.

Effective Date: January 1, 2020, if constitutional amendment passes.

## Establishing a Liquid Funds Account within the Permanent School Fund (HB 4388)

[HB 4388](#) (Murphy) Relating to the management of the permanent school fund by the School Land Board and the State Board of Education and a study regarding distributions from the permanent school fund to the available school fund.

The bill establishes a liquid funds account within the Permanent School Fund in order to transfer funds, under certain conditions, into liquid assets that earn a higher rate of return than the cash maintained by the fund for near term use. The LBB estimates that the bill will result in increased earnings of approximately \$46 million per year.

Effective Date: September 1, 2019.

## Property Tax Reform (SB 2)

[SB 2](#) (Bettencourt) Relating to ad valorem taxation; authorizing fees.

Senate Bill 2 is the property tax reform bill. It largely does not affect school districts. HB 3 contains provisions applying to school district property taxes and caps. However, SB 2 contains transparency and notice provisions affecting the overall appraisal process. Also, the bill changes taxing terminology. For example, the maintenance and operations rate is now referred to as “no-new tax maintenance and operations rate.”

Effective Date: January 1, 2020.

## Increasing Contributions to TRS (SB 12)

[SB 12](#) (Huffman) Relating to the contributions to and benefits under the Teacher Retirement System of Texas.

The bill requires the state, the district and employees to gradually increase contributions to TRS. The table below highlights the new rates. An increase in the rate is **bolded**. Note employee rate does not change for the next two school years. The district rate increases 0.10 percent in SY 2020-21.

Year	State	Employee	District
2019-20	<b>7.50 %</b>	7.70 %	1.50 %
2020-21	<b>7.50 %</b>	7.70 %	<b>1.60 %</b>
2021-22	<b>7.75 %</b>	<b>8.00 %</b>	<b>1.70 %</b>
2022-23	<b>8.00 %</b>	<b>8.00 %</b>	<b>1.80 %</b>
2023-24	<b>8.25 %</b>	<b>8.25 %</b>	<b>1.90 %</b>
2024-25 and Beyond	<b>8.25 %</b>	<b>8.25 %</b>	<b>2.00 %</b>

The bill also requires districts, which includes Austin ISD, that pay into Social Security, to now also pay into TRS. Previously districts contributing to Social Security were exempt from making TRS contributions.

Effective Date: Effective Immediately.

## **Exempting District Financial Officers from Training in Certain Circumstances (HB 293)**

[HB 293](#) (Ken King) Relating to investment training requirements for school district financial officers.

The bill exempts the treasurer and the chief financial officer of a school district from otherwise required investment training if the district does not invest district funds, or only deposited the funds in interest-bearing accounts or certificates of deposits. The officers claiming the exemption would annually have to certify the exemption.

Effective Date: Immediately.

## **Buying Inventory Management Software with Instructional Materials Allotment Funds (HB 396)**

[HB 396](#) (Van Deaver) Relating to acceptable uses of the instructional materials and technology fund and the instructional materials and technology allotment.

The bill allows the district to use the instructional materials allotment funds to purchase software and systems for inventorying and managing instructional materials. The bill also clarifies that funds can be used for interstate shipping of materials.

Effective Date: September 1, 2019.

## Food Service

### Updating Guidelines for Students with Food Allergies (SB 869)

[SB 869](#) (Zaffirini) Relating to guidelines for policies of school districts and open-enrollment charter schools for the care of certain students at risk for anaphylaxis.

The bill establishes an ad-hoc committee at the Department of State Health Services (DSHS) to update the "Guidelines for the Care of Students With Food Allergies At-Risk for Anaphylaxis." The committee would be comprised of medical experts, parents, educators, patients, among others. The guidelines would have to be updated every three years.

The district would have to review the guidelines annually to ensure the use of the latest version of the guidelines and post a summary of guidelines on the district website.

Effective Date: Immediately. DSHS would have to appoint the committee by October 1, 2019 and update the guidelines by March 1, 2020.

## Law Enforcement

### Defining the Responsibilities of District Police Officers and School Resource Officers (SB 1707)

[SB 1707](#) (Lucio) Relating to the duties of school district peace officers, school resource officers, and security personnel.

The bill requires that the board of trustees determine the law enforcement duties of peace officers and school resource officers. The duties must be described in:

- the district improvement plan;
- the student code of conduct;
- any other campus or district document describing the role of peace officers or school resource officers.

The bill prohibits a district from assigning an officer to address:

- routine student discipline or school administrative tasks; and
- contact with students unrelated to law enforcement.

The bill does not prohibit an officer from informal contact with a student unrelated to assigned duties or an incident involving student behavior or law enforcement.

Effective Date: Immediately. Applies beginning SY 2019-2020.

### Expanding Information Sharing Among Law Enforcement to Allow for the Development of Threat Assessments (SB 2135)

[SB 2135](#) (Powell) Relating to information a law enforcement agency is required to share with a school district about a person who may be a student.

Current law requires that if a local law enforcement agency suspects that an individual is a student, the law enforcement agency must notify the superintendent or designee of the arrest and provide enough information so the superintendent can determine if the person may have committed a felony.

The bill adds a provision that requires local law enforcement agencies to provide information to the district on the student or likely student so the district can determine whether a threat assessment needs to be performed on the individual.

The district currently has a memorandum of understanding with the City of Austin Police Department that allows for information sharing. The bill allows for the transfer of that information under such memoranda.

Effective Date: September 1, 2019. The bill applies only to information related to an arrest or referral that occurs on or after September 1, 2019.

## **Using Crime Stopper Information at School Districts (HB 3316)**

[HB 3316](#) (White) Relating to the Texas Crime Stoppers Council.

The bill is a comprehensive Crime Stoppers bill. However, it does contain provisions specifically related to school districts.

Among other actions, the bill:

- allows school district police department to receive tips from Crime Stoppers;
- allows for Crime Stoppers to create campus-based organizations;
- prohibits school districts from releasing Crime Stopper information under Texas Public Information laws; and
- prohibits the use of evidence relating to communication between a person submitting the tip and the person who accepted the tip from being used in expulsion or disciplinary proceedings except in certain circumstances.

Effective Date: September 1, 2019.

## **Prohibiting the Regulation of Gun Storage in Cars on School Property (HB 1143)**

[HB 1143](#) (Hefner) Relating to the transportation or storage of a handgun or other firearm or ammunition by a handgun license holder in a school parking area.

The bill prevents school districts from regulating how guns and ammunition are regulated in vehicle in a school parking lot. Existing state law requires them to be stored out of plain sight.

Effective Date: Immediately. Applies beginning SY 2019-2020.

## **Prohibiting Aversive Techniques to Manage Student Behavior (HB 3630) (SB 712)**

[HB 3630](#) (Meyer) Relating to prohibiting the use of certain aversive techniques on students enrolled in public schools.

The bill prohibits the use of “adverse techniques” to intervene in student conduct. Adverse techniques are defined as intentionally inflicting significant physical and emotional pain, and includes actions such as electric shock, pressure holds, and the use of noxious sprays. The bill requires TEA to provide to school districts information on avoiding the use of aversive techniques.

Effective Date: Immediately. (NOTE: SENATE COMPANION [SB 712](#) (Lucio) ALSO PASSED).

## **Authorizing the Use of Epinephrine Auto-Injectors by District Peace Officers (SB 1827)**

[SB 1827](#) (Menéndez) Relating to the possession and emergency administration of an epinephrine auto-injector by law enforcement agencies and peace officers.

The bill allows the district police department to acquire and use epinephrine auto-injectors. Injectors can only be used by peace officers trained in the use of the injectors.

The bill authorizes the district (police department) to obtain a departmental-wide standing order from a physician (or an individual with delegated prescription authority) for epi auto-injectors.

The bill requires police departments using epi auto-injectors to establish procedures for maintaining and monitoring inventory, and for the disposal of used or expired injectors. If an officer administers epinephrine, the department is required to notify the individual prescribing the auto-injectors.

The bill provides liability protections and immunities for individuals using (or opting not to use) the injectors.

Effective Date: September 1, 2019.

## Open Records/Open Meetings

### Clarifying/Expanding Open Records Requirements (SB 944)

[SB 944](#) (Watson) Relating to the public information law.

In effect, the bill requires, among other actions, that district trustees and employees maintain texts and emails received on their personal devices (cell phones, tablets, etc.) related to district business or transfer those documents to the district. Trustees and employees would have to maintain the documents received during their tenure even if they left office or district employment if those documents have not been transferred to the district.

Effective Date: September 1, 2019. Some of the other bill's provisions have staged implementation. The act would only apply to documents, including texts and emails, created or received on or after September 1, 2019.

### Reinstating the Prohibition Against Walking Quorum (SB 1640)

[SB 1640](#) (Watson) Relating to the open meeting laws.

The bill is intended to re-instate the "walking quorum" prohibition under the state's Open Meeting laws.

A trustee would commit an offense if the trustee knowingly engages in at least one communication outside an open meeting if the communication was likely to result in a series of communications that:

1. involve or would involve a quorum; and
2. would constitute a deliberation once the quorum of members engaged in a series of communication.

Also, the bill expands the definition of deliberation to include written exchanges. Current law had limited deliberation to verbal communication.

Effective Date: Immediately. Applies only to offense on or after the effective date of the act.



## Personnel

### **Removing TRS Oversight of 403 (b) Providers (HB 2820)**

[HB 2820](#) (Flynn) Relating to the registration and certification of certain investment products made available to public school employees.

The bill removes the Teacher Retirement System's review of 403(b) providers. The bill will require the district to enter into salary reduction agreements with any qualified vendor of 403 (b) plans, as defined by the Texas Department of Insurance.

Effective Date: September 1, 2019.

### **Changing Requirements for Teaching Certificates (HB 3217)**

[HB 3217](#) (Ashby) Relating to certain eligibility requirements for issuance of a teaching certificate.

The bill allows applicants for a teaching certificate to hold a bachelor's degree with a major in education. Teachers would not need to hold a degree in a non-education discipline. The bill also removes the undergraduate cap on the number of semester hours that the State Board of Educator Certification (SBEC) could require to obtain a teaching certification. It also requires the SBEC to establish credit for field-based experience as an alternative to internship credit hours for certification.

Effective Date: Immediately.

### **Expanding Staff Training to Address Sexual and Other Forms of Abuse in Students with Significant Cognitive Disabilities (HB 111)**

[HB 111](#) (Mary González) Relating to public school policy and training for public school employees addressing the prevention of sexual abuse, sex trafficking, and other maltreatment of certain children.

The bill expands the existing staff sexual and other forms of abuse training to include training in recognizing symptoms of abuse, sexual abuse and sex trafficking in students who have significant cognitive disabilities.

The bill requires TEA to develop the training and new material needed to support the bill.

Effective Date: Immediately. Applies beginning SY 2019-2020.

## **Providing an Exception from Educator Misconduct Reporting (SB 1476)**

[SB 1476](#) (Bettencourt) Relating to the requirement for certain administrators of certain educational entities to report certain educator misconduct to the State Board for Educator Certification.

The bill provides an exception from educator misconduct reporting requirements if the educator:

- has not resigned or has not been terminated; and
- has been found to have not engaged in the misconduct.

Effective Date: Immediately. Applies beginning SY 2019-2020.

## **Addressing a Reduction in Service Days if the Number of Instructional Days is Less Than 180 Days (SB 2073)**

[SB 2073](#) (Taylor) Relating to a reduction in required days of service for educators in public schools under certain circumstances.

The bill allows a school district to reduce the number of service days for an educator employed on a 10-month contract if the district provides less than 180 days of instruction. The district may reduce the service required proportionate to the reduction. The district is prohibited from reducing a salary if the number of service days are reduced.

Effective Date: Immediately. The bill applies only to contracts in place on or after the effective date of the bill.

## **Providing SEL and Mental Health Information Through Texas OnCourse (SB 504)**

[SB 504](#) (Seliger) Relating to the inclusion of certain information in postsecondary education and career counseling academies developed for certain school counselors and other postsecondary advisors employed by a school district.

The bill allows an academy developed for school counselors by Center for Teaching and Learning at The University of Texas at Austin (Texas OnCourse) to include information on social-emotional learning and indicators of behavioral issues in its offerings.

Effective Date: Immediately.

## **Establishing a Micro-Credentialing Program (HB 2424)**

[HB 2424](#) (Ashby) Relating to the creation of a micro-credential certification program for public school educator continuing education.

The State Board of Educator Certification (SBEC) is required to establish a program to issue micro-credentials in fields of study related to an educator's certification. The SBEC is required to establish by rule the program to issue micro-credentials. The micro-credential is required to be recorded in the Educator Certification Online System (ECOS).

The TEA is only required to implement the bill if funds are appropriated for its implementation; otherwise, TEA may implement the bill.

Effective Date: Immediately.

## **Prohibiting Consequences to Teachers for Disciplinary Referrals (SB 1451)**

[SB 1451](#) (Taylor) Relating to the ability of public school teachers to maintain student discipline without being subjected to adverse employment consequences.

The bill clarifies that teachers may make disciplinary referrals, and they may not face employment consequences for the number of referrals made. Teachers may be appraised on observed deficiency in classroom management but not on the number of referrals.

Effective Date: Immediately.

## **Establishing a No Hire Registry (HB 3)**

The bill:

- extends the prohibition for school employment to those having received deferred adjudication (just not those convicted) for crimes with victims under the age of 18;
- creates a registry of persons not eligible for employment in public schools; and
- creates additional reporting requirements for schools regarding employees who were terminated or resigned for which there was evidence of a romantic relationship with a student or minor.

(Note: this provision of HB 3 was originally SB 1256)

### Providing for a Local Option Teacher Program (HB 3)

The district may provide a local optional teacher program and receive an allotment for doing so. Teachers participating in the program would be designated a master, exemplary or recognized teacher based on five years-worth of appraisals. The program's performance system must provide a mathematical possibility that all teachers eligible for a designation may earn the designation and can't be based on existing student assessments required by state law. A teacher that holds a National Board Certification would automatically qualify.

The commissioner is given authority to oversee the program, develop rules and prioritize funding towards high need campuses. Texas Tech University would enter a MOU with TEA to monitor the quality and fairness of the program.

According to the Texas School Coalition, school districts would be entitled to funding according to the table below.

	Allotment	Increased Up To (If assigned to a High Needs Campus)
Master Teacher	\$12,000	\$32,000
Exemplary Teacher	\$6,000	\$18,000
Recognized Teacher	\$3,000	\$9,000

## PreK and Early Childhood

### Continuing the Eligibility for Free Prekindergarten Without Requalifying (SB 1679)

[SB 1679](#) (West) Relating to eligibility of certain children for free prekindergarten programs in public schools.

The bill allows a child who is eligible for and enrolled in free prekindergarten at the age of 3 to remain in prekindergarten the following year without having to re-qualify for the program.

Effective Date: Immediately. Applies beginning in SY 2019-2020.

### Increasing Coordination Among Districts, TEA, TWC and the Childcare Providers (HB 680)

[HB 680](#) (Deshotel) Relating to the powers and duties of the Texas Workforce Commission and local workforce development boards regarding the provision of child care.

Among the bill's many provisions is a requirement that the Texas Workforce Commission work with TEA, school districts, and subsidized childcare providers to increase coordination between subsidized childcare programs and PreK programs, with the goal of increasing quality.

Effective Date: September 1, 2019.

### Requiring All Districts to Offer Pre-K to 4 year-olds (HB 3)

Austin ISD already offers full day Pre-K to eligible 4-year-olds. HB 3 now requires all districts to offer full-day Pre-K to eligible 4 year-olds.

- The second half of the day will not count for the purposes of Foundation School Program funding.
- Early Education Allotment is designed to provide funding for the second half of the day
- Prior to constructing, repurposing or leasing a classroom for Pre-K programs, districts would have to consider partnering with outside providers of high-quality Pre-K.

## School Safety

### Promoting School Safety and Student Mental Health (SB 11)

[SB 11](#) (Taylor) Relating to policies, procedures, and measures for school safety and mental health promotion in public schools and the creation of the Texas Child Mental Health Care Consortium.

SB 11 is the comprehensive school safety legislation.

#### Facility Standards

The bill requires TEA to develop building standards that ensure facilities are secure and safe environments. The TEA is required to adopt rules that consider:

- The design and construction of new facilities; and
- The improvement, renovation and retrofitting of existing facilities.

TEA would be required to review the rules no later than September 1 of even-numbered years. TEA must adopt rules by January 1, 2020.

#### Trauma Informed Care

The district is required to develop a trauma-informed care policy that includes:

- Increasing staff and parent awareness of trauma-informed care;
- Implementing trauma-informed practices by district staff; and
- Documenting the available counseling options for students affected by trauma and grief.

The bill requires that district educators be trained in trauma-informed care as both part of new employee orientation and, for existing educators, on a frequency established by TEA by rule.

The district will have to maintain training records and convey that information to TEA on an annual basis, aggregated district-wide and by campus. The information must include staff counts by profession (teachers, principals, counselors). The bill allows for a district, if it has insufficient resources, to partner with a community mental health organization to provide the training.

Applies beginning SY 2019-2020.

#### Waivers for Operation and Instructional Time for School Safety Training

The bill requires the TEA to grant a waiver allowing for fewer minutes of operation and instructional time for a district that requires each educator to attend a safety training course approved by the Texas School Safety Center.

#### Mental Health, Suicide Prevention and Cyberbullying Added to Curriculum

The enrichment curriculum for kindergarten through grade 12 must now include under the health component instruction about mental health, mental health conditions, substance abuse, managing emotions, building positive relationships, responsible decision-making, and suicide prevention, including recognizing suicide-related risk factors and warning signs.

The bill requires the State Board of Education to develop rules that require school districts to incorporate into their curriculum information on cyberbullying and digital citizenship.

#### Providing Parents with Educational Material About Mental Health and Suicide

The bill expands the Health and Safety Code provisions which allow districts to provide mental health and suicide information. The bill specifically allows districts to provide information on identifying risk factors, accessing resources for treatment and support, and accessing available student accommodations on campus.

#### Student Health Advisory Committees (SHACs)

The bill expands the definition of the mental health issues under the SHAC's purview to explicitly include suicide.

The bill requires SHACs to make recommendation on strategies to increase parental awareness of:

- Risky behaviors and early warning signs of suicide risks and behavioral health concerns, including mental illness and substance abuse; and
- Available community programs and services to address the risks, behaviors and illnesses described above.

Applies beginning SY 2019-2020.

#### Multihazard Emergency Operation Plan, Safety and Security Audits

The bill adds "prevention" to the general requirements of a multihazard plan. The bill adds the Texas School Safety Center to the parties (the Governor's Office of Homeland Security and TEA) designing the plan.

The bill adds to the plan requirements:

- That training be provided to all district staff employees, including substitute teachers;
- That the district put in place measures to ensure that all district employees having classroom access have an electronic means of communication to immediately contact district emergency services, law enforcement, and other safety-related departments;
- That the district put in place measures to ensure that the district communications technology and infrastructure are adequate to allow for communication during an emergency;
- That the chain of command be clearly delineated in case of disaster or emergency, and that individuals responsible for making decisions if the primary decision maker is absent are designated;
- That the plan include provisions to address physical and psychological safety for those responding to natural disaster, active shooter, and other dangerous situations identified by the Texas School Safety Center;
- That the plan considers the safety of students in portable buildings;
- That the plan considers individuals with disabilities, ensuring that they have equal access to safety during a disaster or emergency situations;
- Provisions for immediate notification of parents in circumstances involving significant threats; and

- Provisions, including training, for supporting the psychological safety of students, personnel, and the community, including psychological first aid and trauma-informed care during the response and recovery phase following a disaster or emergency.

The bill requires that a safety audit report include a certification that the district certify used the school safety allotment as specified by the law. Also, the report must be signed by district trustees and the superintendent.

The bill requires the Texas Safety Center to establish a random or need-based cycle of review and verification of Multihazard Emergency Plans.

The Texas School Safety Center must provide information about portable building safety by January 1, 2020.

#### Multihazard Emergency Plan Noncompliance

The bill requires the board of trustees to hold a public hearing if it receives notice that its multihazard emergency operations plan is not compliant. The bill specifies what must be presented to the public at such a hearing and offer the public opportunity to address the trustees.

If a district fails to submit a multihazard emergency operation plan, the TEA may appoint a conservator.

#### School Safety and Security Committee

The bill specifies the minimum membership requirements of the district's School Safety and Security Committee. The committee must include:

- One or more representatives of a city or county office of emergency management;
- One or more representatives of a city or county police department or sheriff's office;
- One or more representatives of the district's police department;
- The president of the district's board of trustees;
- A member of the board of trustees other than the board president;
- The district' superintendent;
- Designees of the superintendent, including at least one classroom teacher; and
- Two parents or guardians.

The bill expands the scope of the committee to include periodically providing recommendations to the superintendent and trustees on updating the district multihazard emergency operation plan.

The bill requires the committee (staff will likely act as proxies) to work with local law enforcement agencies on methods to increase law enforcement presence near district campuses.

The bill subjects the committee to the state's Open Meeting laws, but the committee can meet in executive session as allowed by that law.

The committee is required to meet once a semester.



### Notification of A Bomb Threat

The bill requires the district to notify parents/guardians if a school receives a bomb threat or a terroristic threat.

### Emergency Evacuations and Drills

The bill requires the TEA, in consultation with the Texas School Safety Center and the state fire marshal, to adopt rules by January 1, 2020, regarding emergency evacuations and drills.

### Threat Assessment and Safe and Supportive School Program

The bill establishes the Threat Assessment and Safe and Supportive School Program.

The bill requires TEA to adopt rules, in cooperation with the Texas School Safety Center, to establish the program. The rules must include provisions for:

- Physical and psychological safety;
- A multifaceted approach to the prevention, preparedness, response and recovery from a crisis;
- A systemic and coordinated way of addressing school social and emotional climate, and mental health; and
- Collaboration among agencies and others to assess risks and threats, and provide appropriate intervention.

The bill requires the trustees to establish a threat assessment and safe and supportive school team at each campus and adopt policies and procedures for those teams. The superintendent is required to ensure that the teams have expertise in a variety of specified areas, including counseling, classroom instruction, mental health, and special education. Teams will be required to attend training.

Teams would be required to conduct a threat assessment that includes:

- Assessing and reporting individuals who make violent threats or exhibit violent or threatening behaviors;
- Gathering and analyzing data to determine level of risk and appropriate interventions, which may include referring students for mental health assessment or implementing escalation procedures;
- Providing guidance to student and school employees on recognizing harmful, threatening and other types of behavior; and
- Supporting the district in implementing the mulithazard operation plan.

Teams would be required, under certain conditions, to report an individual to the superintendent. Superintendents would be required to notify parents and guardians.

The bill requires that the district follow district protocols for suicide prevention, and for addressing students possessing tobacco, drugs or alcohol.

The bill requires reporting of the actions of the Threat Assessment Team, by specified demographic and other criteria.

The Texas School Safety Center, with TEA's assistance, will develop model assessment team policies and procedures.

#### Identification of Student Mental Health Services by Region

The bill requires the regional education service center to identify resources, defined as a rubric in the bill, for student mental health in their respective regions. The rubric would have to be reviewed every two years. Various state agencies are required to assist in identifying resources.

The resources must include:

- Training and technical assistance on practices that support student mental health;
- School-based programs for prevention or intervention services;
- Community-based programs for prevention or intervention services;
- Communities in Schools programs;
- School-based mental health providers; and
- Any public and private funding sources.

The service centers would also be required to identify certain evidence-based and promising programs available to schools.

TEA is required to provide to the regional service centers the rubric by December 1, 2019. The regional service center must complete the regional mental health inventory by March 1, 2020. TEA must complete the statewide inventory by March 1, 2020.

#### Statewide Plan for Student Mental Health

TEA would be required to develop a statewide plan for student mental health, and consider programs and practices identified by the regional service center for inclusion. TEA is required to develop the statewide plan by April 1, 2020.

#### School Safety Allotment

The TEA must provide funds, out of appropriated funds, for improving school safety. Funds would be provided based on average daily attendance. Funds can be used for an extensive list of activities including:

- Infrastructure improvements;
- Purchase of security cameras and communications equipment;
- Employing police officers;
- School safety training and planning;
- Prevention and treatment of "adverse" childhood experiences, including the provision of mental health services; and
- Suicide prevention programs.

### Expanded Authority to Issue Bonds

The bill expands a district's authority to issue bonds to include retrofitting school buses with safety equipment, and the purchase or retrofitting of vehicles to be used for emergency, safety and security purposes.

### Police and School Resource Officer Training

The bill increases the number of days from hiring that an officer has to complete required training from 120 days to 180 days.

### School Safety Grant Program

The bill requires TEA to establish a grant program to award funds to school districts and others, if funds are appropriated for that purpose.

### Texas Child Mental Health Consortium

The bill also establishes the Texas Child Mental Health Consortium, a coordinated effort among Higher Education Institutions to research and increase capacity to address child and student mental health issues. The Dell Medical School at the University of Texas is part of the consortium. Beyond research, the bill provides for psychiatric telemedicine, which will primarily benefit the state's rural counties.

Effective Date: Immediately. The bill includes numerous rulemaking and implementation deadlines. Those deadlines are listed in the appropriate section of the bill summary.

## **Requiring an Active Shooter Plan and Training (HB 2195)**

[HB 2195](#) (Meyer) Relating to an active shooter emergency policy for school districts and required active shooter training for school district peace officers and school resource officers.

The bill requires the district to include in its multihazard emergency operation plan an active shooter plan.

The bill also requires district police officers and school resource officers to complete an active shooter response training program approved by the Texas Commission on Law Enforcement. The commission must approve an active shooter training program as soon as possible. Currently employed officers would have until August 31, 2020 to complete the training.

Effective Date: Immediately.

## **Providing and Training in the Use of Bleeding Control Stations (HB 496)**

[HB 496](#) (Gervin-Hawkins) Relating to traumatic injury response protocol and the use of bleeding control stations in public schools.

The bill requires the district to develop a trauma response protocol and provide it to staff and volunteers. The protocol requires districts to:

- Provide bleeding control stations;

- Ensure that bleeding control stations are stored at easily accessible areas selected by a district's school and safety committee;
- Provide TEA-approved training on the use of bleeding control stations to each district police officer or school resource officer and all other district personnel who may be reasonably expected to use a bleeding control station; and
- Offer instruction annually on the use of bleeding control stations to students 7<sup>th</sup> grade and higher.

The bill allows a district school safety and security committee to determine that an "easily accessible area" for bleeding control stations is the same location as the location of external defibrillators.

The bill specifies the contents of the bleeding control station to include items such as tourniquets, chest seals, as well as instructional documents developed by either the American College of Surgeons or the Office of Homeland Security.

The bill provides immunity for district personnel acting in good faith using bleeding control stations.

Effective Date: Immediately. School districts must implement the trauma response protocol no later than January 1, 2020.

## Special Education

### Expanding Notice of Special Education Evaluations (SB 139)

[SB 139](#) (Rodríguez) Relating to a notice of educational rights for certain student evaluations.

The bill requires TEA to develop a notice for distribution and for posting on the agency website that:

- Indicates the changes made from 2016 to 2017 in the district reporting requirements for the special education indicator adopted for the Performance-Based Monitoring Analysis System Manual; and
- Explains the right of a child, under state and federal law, the process to initiate the referral of a student for evaluation to determine eligibility for special education services.

The district will be required to use the TEA notice and modify it to include information on how to access district-specific special education services eligibility evaluations.

The TEA will establish a date for the district to provide the notice to the parent or guardian of all students sometime during SY 2019-2020. Districts will also have to provide the notice to anybody requesting it.

The district notice must be in English and Spanish, and the district must make a good-faith effort to provide the notice to parents whose native language is not English or Spanish.

The notice is in addition to the notice required by Education Code 26.0081 (RIGHT TO INFORMATION CONCERNING SPECIAL EDUCATION AND EDUCATION OF STUDENTS WITH LEARNING DIFFICULTIES).

Effective Date: Immediately. Applies beginning SY 2019-2020. The act expires on September 1, 2023.

### Changing IEP Provisions for Students with Visual Impairments (SB 522)

[SB 522](#) (Zaffirini) Relating to the development of an individualized education program for a student with a visual impairment.

The bill removes the term “functionally blind” and replaces it with the term “visual impairment” in [Section 30.002, Education Code](#) to reflect federal statute.

Among other items, the bill removes the requirements that:

- The assessment of each applicable student for the purpose of developing the student's IEP to include documentation of the student's strengths and weaknesses in braille skills;
- A student's IEP specify the appropriate learning medium based on the assessment report; and
- The Texas Education Agency determine the criteria for a student to be classified as functionally blind for purposes of the provision of braille instruction.

Effective Date: Immediately. Applies beginning SY 2019-2020.

## **Expanding Opportunities for Special Education Students to Earn High School Endorsements (HB 165)**

[HB 165](#) (Bernal) Relating to providing for endorsements for public high school students enrolled in special education programs.

The bill allows special education students to earn endorsements by successfully completing, with or without modifications, the endorsement requirements established by the State Board of Education and the additional endorsement curriculum requirements in Education Code sec. 28.025 (c-2) (required credits in math, science and electives).

The bill allows the student to use a modified curriculum if the admission, review and dismissal (ARD) committee determines that the modified curriculum is sufficiently rigorous. The ARD will also be required to determine if satisfactory performance on an end-of-course assessment instrument is necessary to qualify for the endorsement.

Effective Date: Immediately. Applies beginning SY 2019-2020.

## **Expanding TEA Oversight of Dyslexia Screening and Notice of the Availability of Free Audiobooks (SB 2075)**

[SB 2075](#) (Paxton) Relating to public school compliance with dyslexia screening, reading instrument requirements, and a requirement that a school district notify certain parents or guardians of a program providing students with reading disabilities the ability to borrow audiobooks free of charge.

The bill requires that:

- TEA adopt rules and implement a program to audit and monitor school districts to ensure that districts are complying with dyslexia and related disorders screening requirements; and
- School districts notify parents/guardians of the students with dyslexia or related disorders of a program at the Texas State Library and Archives Commission that provides audiobooks to students with reading disorders free of charge.

Effective Date: Immediately. Applies beginning SY 2019-2020. Applies only if funds are appropriated for the bill's implementation.

## Student Health

### Addressing Student Mental Health (HB 18)

[HB 18](#) (Price) Relating to consideration of the mental health of public school students in training requirements for certain school employees, curriculum requirements, counseling programs, educational programs, state and regional programs and services, and health care services for students and to mental health first aid program training and reporting regarding local mental health authority and school district personnel.<sup>1</sup>

Among other actions, the bill expands the definition of “mental health condition” and adds a definition for “substance abuse” in the Education Code.

The bill changes continuing education requirements for teachers, principals and counselors by requiring that instruction in mental health condition and substance abuse be included in the continuing education requirements.

The bill requires staff development training for educators, to be recommend by the Health and Human Services Commission, to include:

- Suicide prevention;
- Recognizing signs of mental health and substance abuse issues;
- Strategies for establishing and maintaining positive relationships among students;
- How grief and trauma affect learning and behavior, and how certain strategies support academic success of students affected by grief and trauma; and
- Preventing bullying.

The bill requires a school counselor to work with faculty, students, parents and others to implement a comprehensive school counseling program based on the latest edition of Texas Model for Comprehensive School Counseling Programs (developed by the Texas Counseling Association).

The bill requires that the health curriculum in K-12 include instruction on mental health, substance abuse, emotional management, maintaining positive relationships, and responsible decision-making.

The bill requires districts to publish in the student handbook and post on its website a statement of its adopted policies to promote physical and mental health, as well as the resources available to students. The bill requires that districts also post whether a campus has a full-time nurse or school counselor.

The bill authorizes school districts to employ or contract with nonphysician mental health providers (psychologists, licensed clinical social workers, licensed professional counselors, registered nurses with a master’s or doctoral degree in psychiatric nursing, and licensed marriage and family therapists).

The bill adds a school counselor to a district’s Student Health Advisory Committee (SHAC).

---

<sup>1</sup> The analysis of HB 18 relies heavily on the analysis performed by the [House Research Organization](#) (HRO). The bill was amended on the House floor to vary slightly from the version analyzed by HRO.

The bill requires TEA and the Health and Human Services Commission (HHSC) to develop guidelines for school districts for partnering with mental health authorities and for obtaining mental health assistance.

The bill provides no additional funding. However, the bill's fiscal note states that local mental health authorities "would be required to hire additional staff to implement the bill." The analysis assumes the bill would be implemented with existing staff. The same fiscal note indicates that school districts may incur additional costs if plans do not address grief-informed and trauma-informed care. There also could be costs associated related to training, coordinated health programs and SHACs.

Effective Date: The bill effective date is December 1, 2019. However, it phases in different provisions. The State Board of Educator Certification would have to propose rules by May 1, 2020. By August 1, 2020, TEA, in cooperation with the HHSC and regional education service centers, will have to develop guidelines for providing access to mental health services.

### **Hiring Nonphysician Mental Health Professional Help to Assist Districts (HB 19)**

[HB 19](#) (Price) Relating to mental health and substance use resources for certain school districts.

The bill requires a local mental health authority to employ a nonphysician mental health professional to serve as a mental health and substance abuse resource for school districts served by a regional education service center and in which the local mental health authority provided services.

Effective Date: September 1, 2019.

### **Establishing a Task Force to Study School Mental Health Services (HB 906)**

[HB 906](#) (Thompson, Sefronia) Relating to the establishment of a collaborative task force to study certain public school mental health services.

The bill establishes the Collaborative Task Force on Public School Mental Health Services to study mental health services provided at school districts to students, students' parents or family members, or school employees. The task force also would evaluate and make recommendations on mental health services training provided to educators and the impact of the provided mental health services. The task force would be comprised of parents, providers, a psychiatrist, among other individuals.

Effective Date: Immediately.



## **Requiring SHACs to Make Recommendations About Opioid Abuse/Treatment (SB 435)**

[SB 435](#) (Nelson) Relating to recommendations by local school health advisory councils regarding opioid addiction and abuse education in public schools.

The bill adds to the responsibilities of School Health Advisory Councils (SHACs) the requirement that SHACs identify the appropriate grade level and curriculum requirements for instruction about opioid addiction and abuse, and the administration of opioid antagonists.

Effective Date: December 1, 2019.

## **Providing Seizure Care and Training (HB 684)**

[HB 684](#) (Clardy) Relating to the care of students with seizure disorders and the training requirements for certain school personnel regarding seizure recognition and related first aid.

The bill, among other provisions, requires:

- Parents and guardians, who seek school care for a student with seizures, to submit to a school a seizure management plan developed by the parents and treating physician;
- School nurses and other staff to receive training via a TEA-approved course in seizure management;
- Schools to have trained unlicensed seizure care assistants; and
- TEA to approve an online seizure training course by December 1, 2019.

Effective Date: Immediately. Applies beginning SY 2019-2020.

## **Providing Asthma Medicine on Campuses (HB 2243)**

[HB 2243](#) (Oliverson) Relating to the use of prescription asthma medicine on public and private school campuses.

The bill allows, but does not require, school districts to adopt and implement a policy to authorize school nurses to maintain and administer asthma medicine at each campus of the district. School nurses would be allowed to give the asthma medicine only with a guardian's consent. The bill allows physicians to write a non-patient specific order for asthma medicine. Many of the bill's other provisions, including storage and access requirements, parallel those in existing law for epinephrine injectors.

Effective Date: Immediately.

## **Making Audiology Services Provided by Schools Medicaid Eligible (HB 706)**

[HB 706](#) (Bernal) Relating to the eligibility of certain children who are deaf or hard of hearing for audiology services under the school health and related services program.

The bill provides that children meeting certain conditions are eligible for Medicaid reimbursement for audiology services provided by a school health program.

To be eligible for Medicaid reimbursement for audiology, a child must:

- Be 20 years or younger;
- Have a disability or chronic medical condition;
- Be otherwise Medicaid eligible; and
- Been prescribed audiology services under an IEP or a plan under the Section 504 of the Rehabilitation Act of 1973.

The bill requires the commissioner of HHSC to develop rules for implementation.

Effective Date: September 1, 2019.

## Technology

### Establishing a Cybersecurity Policy (SB 820)

[SB 820](#) (Nelson) Relating to a requirement that a school district adopt a cybersecurity policy.

The bill requires the district to:

- Adopt a cybersecurity policy to protect district technology infrastructure and determine/mitigate risks;
- Designate a cybersecurity official;
- Provide notice to TEA of cyberattacks; and
- Provide notice to parents/guardians in cases where cyberattacks breached student information.

Effective Date: September 1, 2019.

## Transportation

### **Banning Photographic Traffic Enforcement (HB 1631)**

[HB 1631](#) (Stickland) Relating to prohibiting the use of photographic traffic signal enforcement systems.

The bill bans fixed photographic traffic enforcement signals.

Effective: Immediately.

### **Requesting a Change in Speed Limits Near Schools (HB 3871)**

[HB 3871](#) (Krause) Relating to the process for establishing speed limits on roads near certain schools.

The bill allows the county to set speed limits near schools at 20 miles per hour. The bill also gives the district and certain other governmental entities the right to request that the Texas Transportation Department, cities, and the county lower speed limits.

Effective Date: September 1, 2019.

## Unfunded Mandates

### Using the Regional Service Center Annual Evaluation to Compile Information on Burdensome and Expensive State Laws (HB 674)

[HB 674](#) (Patterson) Relating to soliciting from school districts served by a regional education service center certain information in conjunction with the annual evaluation of the center.

The bill requires TEA, during the annual review of the Regional Education Service Centers, to:

- Determine the reliance of a district on the center for assistance and compliance with state laws and rules; and
- Document the specific state laws or rules that are “most burdensome and expensive.”

Effective Date: September 1, 2019.

### Eliminating Certain Mandates (SB 1376)

[SB 1376](#) (Paxton) Relating to eliminating certain requirements imposed on school districts and other educational entities.

The bill aims to reduce unfunded mandates as well as encourage innovative practices on the local level. The bill is based on the K-12 Improvement, Innovation, and Mandate Relief Workgroup’s recommendations.

The bill, among other actions:

- Streamlines the State Board of Educator Certification and TEA functions;
- Eliminates the defunct High School Completion and Success Initiative Council and corresponding unfunded grants; and
- Eliminates some energy efficient light bulb standards (energy efficient light bulbs are the industry standard).

Effective Date: Immediately.

# INDEX OF BILLS

## House Bill

1	29
3	17, 20, 25, 30, 33, 43, 44, 45
18	55
19	56
65	28
76	16
111	41
114	21
165	54
293	35
305	13
330	10
391	25
396	35
403	12
440	19
446	27
477	19
496	51
548	10
638	9
674	61
678	23
680	45
684	57
692	14
706	58
811	14
906	56
961	16
963	18, 22
1026	23
1143	38
1244	10
1597	17
1631	60
1734	26
1891	21
1999	26
2184	28
2195	51
2243	57
2424	43
2526	17
2820	41
2840	18
2984	25

3007	10
3011	9
3012	28
3217	41
3316	38
3630	38
3650	24
3871	60
3906	8
4310	24
4388	34
4611	33

## House Joint Resolution

151	33
-----	----

## Senate Bill

2	34
11	46
12	34
30	20
139	53
232	24
435	57
463	9
500	29
504	42
522	53
668	12
712	38
820	59
869	36
944	40
1276	23
1306	27
1374	24
1376	61
1476	42
1557	14
1640	40
1679	45
1707	37
1746	15
1827	39
2073	42
2075	54
2135	37
2283	18
2432	27

