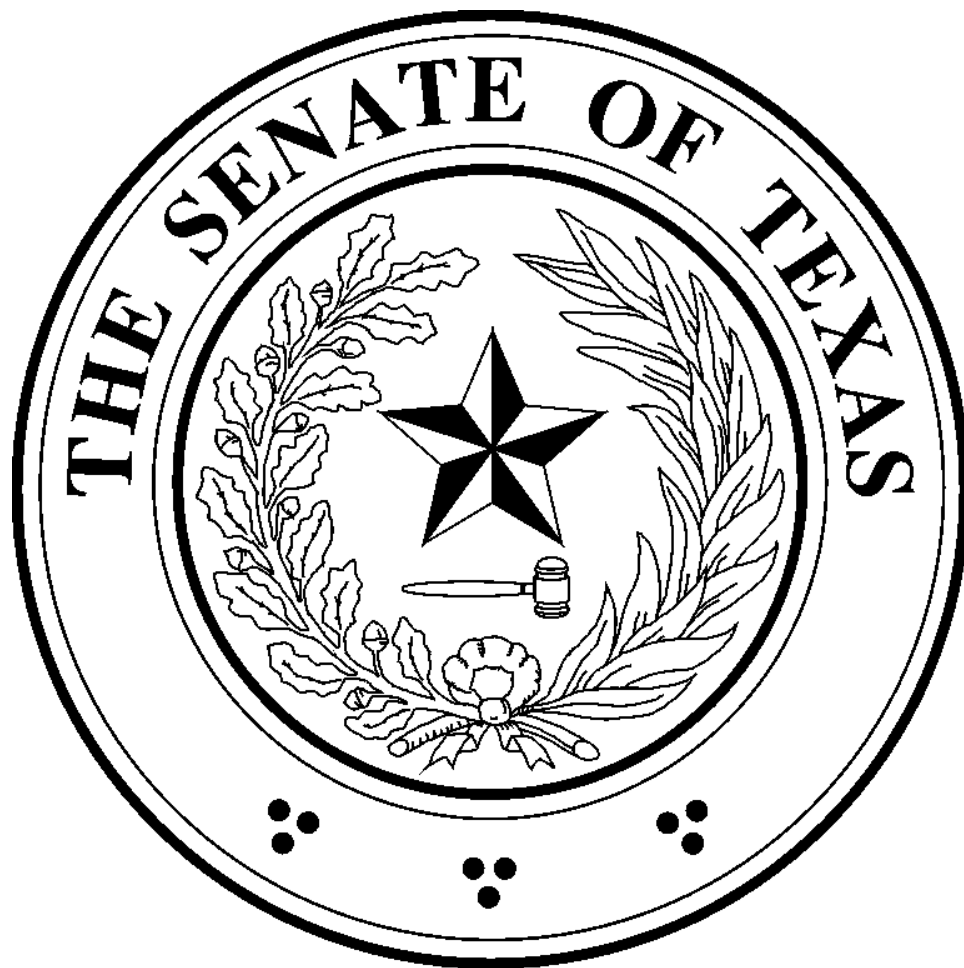


# Senate Committee on Education



Report to the 85<sup>th</sup> Legislature  
November 2016



# The Senate of The State of Texas

November 10, 2016

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

Dear Governor Patrick and Members of the Texas Senate:

The Senate Committee on Education is pleased to submit its final interim report with recommendations for consideration by the 85<sup>th</sup> Legislature in preparation for the regular session.

Respectfully submitted,

Handwritten signature of Larry Taylor in cursive.

Senator Larry Taylor, Chair

Handwritten signature of Eddie Lucio Jr. in cursive.

Senator Eddie Lucio, Vice-Chair

Handwritten signature of Paul Bettencourt in cursive.

Senator Paul Bettencourt

Handwritten signature of Donna Campbell in cursive.

Senator Donna Campbell

Handwritten signature of Sylvia Garcia in cursive.

Senator Sylvia Garcia

Handwritten signature of Don Huffines in cursive.

Senator Don Huffines

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Senator Lois Kolkhorst

Handwritten signature of José Rodríguez in cursive.

Senator José Rodríguez

Handwritten signature of Kel Seliger in cursive.

Senator Kel Seliger

Handwritten signature of Van Taylor in cursive.

Senator Van Taylor

Handwritten signature of Royce West in cursive.

Senator Royce West



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## TABLE OF CONTENTS

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|  |    |
|--|----|
| CHARGES TO THE SENATE COMMITTEE ON EDUCATION ... | 2  |
| Interim Charge 1 .....                           | 4  |
| Interim Charge 2 .....                           | 6  |
| Interim Charge 3 .....                           | 8  |
| Interim Charge 4 .....                           | 10 |
| Interim Charge 5 .....                           | 13 |
| Interim Charge 6 .....                           | 16 |
| Interim Charge 7 .....                           | 18 |
| Interim Charge 8 .....                           | 21 |
| Interim Charge 9 .....                           | 28 |
| MONITORING CHARGES .....                         | 35 |
| Monitoring Charge 10.A .....                     | 35 |
| Monitoring Charge 10.B .....                     | 37 |
| Monitoring Charge 10.C .....                     | 38 |
| Monitoring Charge 10.D .....                     | 39 |
| Monitoring Charge 10.E .....                     | 41 |
| Monitoring Charge 10.F .....                     | 42 |
| LETTERS FROM MEMBERS .....                       | 43 |

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# CHARGES TO THE SENATE COMMITTEE ON EDUCATION

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1. Study school choice programs enacted in states across the nation, examining education savings account and tax credit scholarship programs in particular. Examine the implementation process used in other states and what impact these programs have had on student academics and state and local district budgets. Make recommendations on which choice plan could best serve Texas students.
2. Study the approval, expansion, and revocation of public charter schools in Texas, including the implementation of SB 2 (83R) and other legislation. In particular, examine the issues surrounding the disposition of state property when charters are revoked, non-renewed, or cease to operate. Make recommendations regarding policies to ensure an efficient and effective transfer and disposal of state property that preserves state interest while ensuring that certain investment capital and the bond market supporting charter construction remains robust. In addition, make recommendations if needed to clarify policies regarding expansion of existing high-quality charter schools in Texas. Additionally, examine facility funding for charter schools in other states and make recommendations on facility funding assistance for charter schools in Texas.
3. Conduct a comprehensive performance review of all public schools in Texas, examining ways to improve efficiency, productivity, and student academic outcomes. Study performance-based funding mechanisms that allocate dollars based upon achievement versus attendance. Identify any state mandates which hinder student performance, district and campus innovation, and efficiency and productivity overall.
4. Evaluate digital learning opportunities in classrooms and examine existing barriers to schools' ability to provide a digital learning environment. In particular, study the availability of affordable broadband access to school districts across Texas. Examine different options for improving access to broadband service in all areas of the state, for districts and student homes. Make recommendations on a statewide plan for building the necessary infrastructure to provide a competitive, free-market environment in broadband service.
5. Study the recent rise of inappropriate teacher-student relationships, the impact of social media interaction between teachers and students, and examine the current efforts by the Texas Education Agency, schools, law enforcement, and the courts to investigate and prosecute any educator engaged in inappropriate relationships. Determine what recommendations, if any, are needed to improve student safety, including increasing agency staff, adjusting penalties, and strengthening efforts to sanction educators' certificates for misconduct. Study and address the issue of prevention through training and education of school employees.
6. Examine the structure and performance of the two remaining county-based school systems, Harris County Department of Education and Dallas County Schools. In particular, study the efficiency of these entities and determine whether those services are

duplicative with education service centers or could be absorbed by education service centers.

7. Examine current school board governance policies and practices and make recommendations that could improve the focus, attitudes, and outcomes of Texas school boards, districts, and students. Study existing board training requirements for public schools and make suggestions to educate school board trustees of policies that could achieve better student outcomes, particularly within the framework set for low-performing schools in House Bill 1842 (HB1842)(84R).
8. Study teacher shortage and retention issues in Texas and evaluate educator preparation programs to determine if these programs are preparing educators for the rigors of the 21st century classroom. In particular, examine the shortages of ELL, special education, and STEM educators across the state and identify the issues creating a shortage. Make recommendations to improve educator preparation throughout the state and increase certification rates. **(Joint Charge with Senate Higher Education)**
9. Monitor the ongoing implementation of HB 5 (83R), and examine current projections for preparation of Texas high school students for postsecondary education and workforce training. Examine best practices and recommend strategies to align the implementation with the 60x30TX higher education plan, including, but not limited to, dual credit, credit transferability, and fields of study. **(Joint Charge with Senate Higher Education)**
10. Monitor the implementation of legislation addressed by the Senate Committee on Education and make recommendations for any legislation needed to improve, enhance, and/or complete implementation. Specifically, monitor the following:
  - A. Legislation establishing state intervention procedures for public schools with academically unsuccessful ratings of at least two consecutive school years; and providing school districts the ability to be designated as a district of innovation;
  - B. Initiatives to build a high-quality pre-kindergarten grant program;
  - C. Legislation to raise standards of teacher preparation programs and establish a more consistent, high-quality accountability system;
  - D. Program to require the placement and use of video cameras in self-contained classrooms or other settings providing special education services to students;
  - E. Legislation to address training support for counselors, and advising courses for middle school students; and
  - F. Legislation to establish criteria for alternative measures of assessments to meet high school graduation requirements.

## *INTERIM CHARGE 1*

*Study school choice programs enacted in states across the nation, examining education savings account and tax credit scholarship programs in particular. Examine the implementation process used in other states and what impact these programs have had on student academics and state and local district budgets. Make recommendations on which choice plan could best serve Texas students.*

The Senate Committee on Education (committee) held a hearing on September 14, 2016, and received both invited and public testimony on its school choice charge. A digital recording of the hearing is available via the committee's website.

The hearing included invited testimony from the following individuals:

- Ms. Jennifer Allmon, Executive Director, Texas Catholic Conference
- Ms. Laura Colangelo, Executive Director, Texas Private Schools Association
- The Honorable Scott Hammond, State Senator, Nevada
- Ms. Joni Mitchell, Parent
- Mr. Adam Peshek, Director of Education Choice, ExcelinEd
- Ms. Randan Steinhauser, Texas Advisor, EdChoice
- Dr. Patrick Wolf, Professor, University of Arkansas

### **SUMMARY:**

Because Texas does not currently have a private school choice program in place, the committee was tasked this interim with studying the effectiveness of tax credit scholarship programs as well as education savings account (ESA) programs in other states to determine which program could potentially be the best fit for Texas students and families. Last legislative session, the Texas Senate successfully passed a tax credit scholarship program (Senate Bill 4), but the bill did not receive a committee hearing in the Texas House of Representatives.

According to testimony from Mr. Peshek, in 2015–2016, nearly 400,000 students in the United States were enrolled in 50 private school choice programs in 26 states and the District of Columbia. Of these 50 programs, there are three basic types of private school choice programs: school vouchers, tax credit scholarships, and ESAs.

Many private school choice supporters feel that ESAs in particular would best serve Texas students because of the flexibility they provide. ESA programs have been passed in five states so far, and ESAs are the newest form of private school choice program. Proponents praise ESAs as a way to let parents customize their student's education instead of simply choosing between School A and School B. During the hearing, Senator Hammond gave examples of families choosing from a variety of approved providers to tailor education plans that suit individual students with varying needs and interests. He also noted that states that have enacted ESA programs report that parents using the accounts are motivated to spend money carefully because unused funds can potentially roll over from year to year and may be spent on college tuition costs.

Studies provided by Dr. Wolf of other states' private school choice programs demonstrate marked academic and behavioral improvement for students who take advantage of those programs. Specifically, Dr. Wolf testified that the D.C. Opportunity Scholarship Program reported a 21 percent rise in student graduation rates in one year over students not in the program. As another example, participation in the Milwaukee Parental Choice Program has been shown to dramatically reduce incarceration rates for male students.

Those who support tax credit scholarship programs over ESAs testified that they do so largely because of the wealth of data tied to tax credit scholarship programs. Some of these programs have been in existence for over 17 years in 20 states and have detailed figures to support their successes.

In general, witnesses in favor of private school choice programs all testified that students learn in a variety of ways and that one type of school will not meet the needs of all students; what is right for one student might not be right for another. Throughout the hearing, committee members spent a great deal of time discussing both the potential benefits of implementing a private school choice program in Texas and the concerns of opponents.

Arguments discussed during the hearing against Texas adopting a private school choice program include:

- Potential for fraud and a need for considerable financial oversight by the state;
- The concern that local independent school districts that lose students to private schools could be negatively impacted financially; and
- Academic accountability measures in private schools would be inconsistent with accountability measures in Texas public schools.

Regarding its interim charge on school choice, the committee makes the following policy recommendation:

- While taking into consideration and working to address concerns from interested stakeholders, the Legislature should continue efforts to study the benefits of private school choice programs, including tax credit scholarship programs and education savings accounts, and ultimately pass a private school choice program that increases opportunities for Texas students and their families.

## *INTERIM CHARGE 2*

*Study the approval, expansion, and revocation of public charter schools in Texas, including the implementation of SB 2 (83R) and other legislation. In particular, examine the issues surrounding the disposition of state property when charters are revoked, non-renewed, or cease to operate. Make recommendations regarding policies to ensure an efficient and effective transfer and disposal of state property that preserves state interest while ensuring that certain investment capital and the bond market supporting charter construction remains robust. In addition, make recommendations if needed to clarify policies regarding expansion of existing high-quality charter schools in Texas. Additionally, examine facility funding for charter schools in other states and make recommendations on facility funding assistance for charter schools in Texas.*

The Senate Committee on Education (committee) held a hearing on December 7, 2015, and received both invited and public testimony on its charter school charge. A digital recording of the hearing is available via the committee's website.

The hearing included invited testimony from the following individuals:

- Mr. Von Byer, General Counsel, Texas Education Agency
- Mr. David Dunn, Executive Director, Texas Charter School Association
- Ms. Jennifer Goodman, Superintendent, Odyssey Academy
- Mr. Tom Sage, Attorney, Andrews Kurth Kenyon
- Mr. Russ Simnick, Senior Director of State Advocacy and Support, National Alliance for Public Charter Schools

### **SUMMARY:**

Senate Bill 2 (83R) made significant reforms to the charter school approval, expansion, and revocation process. While SB 2 was designed to improve Texas' charter school portfolio, legislation is needed to provide the Texas Education Agency (TEA) with clear direction on the disposition of property after a charter has been revoked or non-renewed.

Mr. Byer emphasized the agency's need for a statutory mechanism to dispose of a charter's real and personal property. Mr. Sage encouraged the committee to be cognizant of the property interests and rights of charter school investors, bond holders, and the charter holder themselves in any proposed legislation. Ms. Goodman provided the committee insight into the difficulties faced when a successful charter operator takes over a charter school that has ceased to operate.

Mr. Dunn stated that some charter schools throughout the state have significant waitlists and the lack of facilities funding is an impediment to charter schools meeting waitlist demands. Mr. Simnick testified that in states across the nation legislatures are playing a more active role in providing charter schools facility funding. According to Mr. Simnick's testimony, 29 states provided some sort of facility funding or assistance for charter schools, including Texas. Texas is one of several states that allows charter schools access to the Permanent School Fund Bond Guarantee Program to reduce borrowing costs. Fifteen states across the United States, including larger states like California and New York, provide a per-pupil facilities allowance to public charter schools.



Regarding its interim charge on charter schools, the committee makes the following policy recommendations:

- The Legislature should develop a statutory mechanism that ensures the reasonable and expedient disposition of property after a charter ceases to operate.
- The Legislature should give further consideration to per-pupil facility funding or some other type of facility assistance for charter schools.

### *INTERIM CHARGE 3*

*Conduct a comprehensive performance review of all public schools in Texas, examining ways to improve efficiency, productivity, and student academic outcomes. Study performance-based funding mechanisms that allocate dollars based upon achievement versus attendance. Identify any state mandates which hinder student performance, district and campus innovation, and efficiency and productivity overall.*

The Senate Committee on Education (committee) held a hearing on August 3, 2016, and received both invited and public testimony on its efficiency and productivity charge. A digital recording of the hearing is available via the committee's website.

The hearing included invited testimony from the following individuals:

- Dr. Ray Freeman, Deputy Executive Director, Equity Center
- Mr. Paul Haeberlen, President and Chief Operating Officer, Education Resource Group
- Mr. Virgel Hammonds, Chief Learning Officer, Knowledge Works
- Dr. Lori Taylor, Principal Investigator, Texas Smart Schools Initiative

#### **SUMMARY:**

During its hearing, the committee discussed how different groups measure efficiency and productivity. Mr. Haeberlen and Dr. Taylor testified that the efficiency and productivity of a school district represents the relationship between the amount of money a district spends and that district's outcomes. Both witnesses stated the Texas school finance system does not reward schools for being more efficient and productive with their resources than comparable districts. Nor does the academic accountability system reward efficiency and productivity.

During the presentation of Mr. Haeberlen's and Dr. Taylor's respective methodologies, it was evident experts reach different results and rankings because they use different variables and formulas to determine a school's efficiency and productivity.

Dr. Ray Freeman highlighted that the current school finance system does not allow for accurate efficiency and productivity discussions because schools are funded in different ways. He emphasized the Band-Aids™ that have been applied to the system over several decades must be stripped away in order to accurately compare the productivity of various districts. Dr. Freeman pointed out that formula adjustments, including the Wealth Hold Harmless, Target Revenue Hold Harmless, and the High School Allotment, are non-cost based components of the system that funnel money to districts above what the Foundation School Program would allocate through law.

Mr. Virgel Hammonds also testified before the committee on competency-based education and its implementation in Texas school systems. On its website the U.S. Department of Education defines competency-based education as a learning "structure that creates flexibility, allows students to progress as they demonstrate mastery of academic content, regardless of time, place, or pace of learning." Mr. Hammonds testified on the innovative and unique strategies that Knowledge Works employs to ensure that all students' educational needs are met. Mr.

Hammonds stated that competency-based education represents an opportunity for schools to become more efficient by helping all students progress at the pace they learn.

Regarding its interim charge on efficiency and productivity, the committee makes the following policy recommendations:

- The Legislature should take advantage of the opportunity that has arisen to fundamentally change the school finance structure without the restrictions of a court order.
- The Legislature should consider how to incorporate efficiency and productivity measures into the school finance system in a way that accurately and uniformly measures these indicators for all school districts.
- The Legislature should further study whether combining financial and academic accountability systems could result in greater efficiency and productivity.
- The Legislature should encourage the Texas Education Agency (TEA) to support school districts across the state if they are incorporating competency-based education practices into their curriculum.
- The Legislature should consider directing TEA to develop guidelines for competency-based education that could be adopted by ISDs.

#### *INTERIM CHARGE 4*

*Evaluate digital learning opportunities in classrooms and examine existing barriers to schools' ability to provide a digital learning environment. In particular, study the availability of affordable broadband access to school districts across Texas. Examine different options for improving access to broadband service in all areas of the state, for districts and student homes. Make recommendations on a statewide plan for building the necessary infrastructure to provide a competitive, free-market environment in broadband service.*

The Senate Committee on Education (committee) held a hearing on September 13, 2016, and received both invited and public testimony on its digital learning and broadband access charge. A digital recording of the hearing is available via the committee's website.

The hearing included invited testimony from the following individuals:

- Dr. Melissa Allen, Principal, Thompson Intermediate, Pasadena ISD
- Ms. Jennifer Bergland, Director of Government Relations, Texas Computer Education Association
- Mr. Dale Frost, State Policy Director, International Association for K-12 Online Learning (iNACOL)
- Ms. Caroline Joiner, Executive Director, TechNet
- Mr. Aaron Lemon-Strauss, Executive Director of the SAT Student Success Program, The College Board
- Mr. Randy Moczygemba, Superintendent, New Braunfels ISD
- Mr. Casey Ritchie, Director of Technology, Region 18 Education Service Center
- Mr. Michael Turzanski, State Engagement Manager, EducationSuperHighway

#### **SUMMARY:**

Mr. Turzanski began invited testimony with a summary of findings from the EducationSuperHighway Internet connectivity survey of Texas. He informed the committee that most independent school districts (ISDs) in the state can currently meet connectivity goals with their existing fiber infrastructure. However, there are ISDs throughout the state that need fiber connections and Mr. Turzanski encouraged Texas lawmakers to take advantage of available federal funding before the application window closes in 2019. According to his testimony, the Schools and Libraries Program, commonly known as E-rate, provides discounts to schools and libraries in the United States on their telecommunications, Internet access, and related services.

Mr. Turzanski estimated that the state would need to invest approximately \$25 million to secure approximately \$250 million in federal funding, and that this amount should help ISDs in Texas reach complete broadband connectivity. Committee members and Mr. Turzanski discussed whether or not investing in fiber is a responsible fiscal choice for the Legislature to make and Mr. Turzanski confirmed that it is.

Ms. Bergland and Ms. Joiner reiterated Mr. Turzanski's recommendation that the Legislature provide matching funds to leverage federal E-rate dollars and, among other recommendations, Ms. Joiner urged committee members to require the Texas Education Agency (TEA) to update

the State Long-Range Plan for Technology, which has not been updated in approximately ten years.

Ms. Joiner pointed out that, while it is important to individualize and customize student learning through technology, the Legislature should take steps to protect student data in the process. She testified that, for example, this should include a total ban on marketing and selling student data to third parties. The members further discussed proper use of data by teachers and administrators to measure academic performance.

Members of the committee and Ms. Joiner also discussed the importance of ISDs exploring the use of Open Education Resources (OER). They specifically talked about OpenStax at Rice University, which provides free, high-quality learning materials to students.

The committee heard from invited witnesses who gave varying examples of successful uses for technology in classrooms, both in Texas and in other states. In particular, Mr. Moczygemba explained how New Braunfels ISD leverages its broadband access. The committee engaged in discussion with him about his leadership in implementing an ambitious technology plan for his district.

Dr. Allen reported to the committee about the Connect program, which includes three elements: personalized learning time, real world projects, and weekly time with mentors. Because the program includes competency-based instruction, Connect students must pass the content with a mastery level of 80% or higher.

#### ACADEMIC ACHIEVEMENT-STAAR TEST RESULTS

| Grade 6 Reading |              |          | Grade 7 Reading |              |          | ELA 1     |              |          |
|-----------------|--------------|----------|-----------------|--------------|----------|-----------|--------------|----------|
| 2016            | Satisfactory | Advanced | 2016            | Satisfactory | Advanced | 2016      | Satisfactory | Advanced |
| State           | 71           | 19       | State           | 72           | 22       | State     | 71           |          |
| District        | 66           | 13       | District        | 67           | 14       | District  | 62           | 5        |
| Lomax           | 78           | 15       | Thompson        | 77           | 25       | Dobie     | 68           | 7        |
| Connect         | 89           | 18       | Connect         | 91           | 35       | Connect   | 60           | 1        |
| Grade 6 Math    |              |          | Grade 7 Writing |              |          | Biology   |              |          |
| 2016            | Satisfactory | Advanced | 2016            | Satisfactory | Advanced | 2016      | Satisfactory | Advanced |
| State           | 74           | 16       | State           | 70           | 13       | State     | 92           |          |
| District        | 73           | 11       | District        | 66           | 9        | District  | 92           | 18       |
| Lomax           | 85           | 14       | Thompson        | 77           | 12       | Dobie     | 93           | 20       |
| Connect         | 81           | 8        | Connect         | 89           | 18       | Connect   | 95           | 1        |
|                 |              |          | Grade 7 Math    |              |          | Algebra 1 |              |          |
| 2016            | Satisfactory | Advanced | 2016            | Satisfactory | Advanced | 2016      | Satisfactory | Advanced |
| State           | 71           | 17       | State           | 85           |          | State     | 85           |          |
| District        | 66           | 6        | District        | 86           | 25       | District  | 86           | 25       |
| Thompson        | 66           | 4        | Dobie           | 83           | 11       | Dobie     | 83           | 11       |
| Connect         | 70           | 5        | Connect         | 88           | 5        | Connect   | 88           | 5        |

*Dr. Allen included this chart with her testimony to demonstrate achievement of Connect students at various campuses.*

Source: Pasadena ISD

Regarding its interim charge on digital learning and broadband access, the committee makes the following policy recommendations:

- The Legislature should establish a matching fund in order to leverage the maximum amount of federal E-rate funds available to Texas schools for fiber connectivity.
- The Legislature should require TEA to update the State Long-Range Plan for Technology and explore ways to incent districts to adopt or maintain technology plans.
- The Legislature should enact rules for the collection, maintenance, and use of students' personal information to ensure student data privacy.
- The Legislature should further study cost savings associated with the use of Open Education Resources (OER).
- For the benefit of all students, the Legislature should continue to identify and eliminate barriers to fostering 21<sup>st</sup> century learning in Texas classrooms.

## *INTERIM CHARGE 5*

*Study the recent rise of inappropriate teacher-student relationships, the impact of social media interaction between teachers and students, and examine the current efforts by the Texas Education Agency, schools, law enforcement, and the courts to investigate and prosecute any educator engaged in inappropriate relationships. Determine what recommendations, if any, are needed to improve student safety, including increasing agency staff, adjusting penalties, and strengthening efforts to sanction educators' certificates for misconduct. Study and address the issue of prevention through training and education of school employees.*

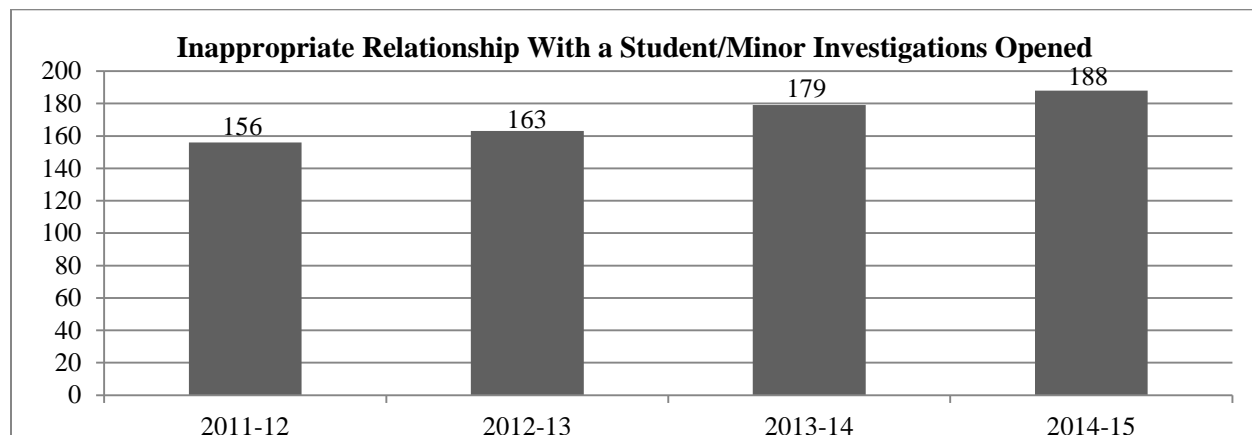
The Senate Committee on Education (committee) held a hearing on December 7, 2015, and received both invited and public testimony on its inappropriate teacher-student relationships charge. A digital recording of the hearing is available via the committee's website.

The hearing included invited testimony from the following individuals:

- Mr. Doug Phillips, Director of Educator Investigations, Texas Education Agency
- Dr. David Thompson, Professor of Education, The University of Texas at San Antonio
- Ms. Katie Warren, Prosecutor, Harris County District Attorney's Office
- Dr. Jamie Wilson, Superintendent, Denton ISD

### **SUMMARY:**

The number of inappropriate teacher-student relationships in Texas has steadily increased over the past several years (see chart below). In a response to this pattern, the committee took up a charge to investigate the root causes and possible solutions.



Source: TEA

Dr. Thompson, Mr. Phillips, and Ms. Warren all testified on the prevalent role that social media and other forms of digital communication play in the continued increase of inappropriate teacher-student relationships. Dr. Thompson extensively discussed the prevalence of social media in inappropriate relationships between teachers and students from an academic point of view. He stated that social media in educator misconduct appears to be the rule, rather than the exception.

The committee discussed different forms of accountability that could be included in schools' policies to prevent illicit contact between teachers and students. Dr. Thompson asserted that posting a district's employee handbook or digital communications policy online would be a positive step in reducing the number of illicit teacher-student relationships. Dr. Thompson also emphasized that text messages between teachers and students should be limited to certain classes of educators and within particular parameters. Dr. Thompson encouraged schools to follow the Texas Association of School Board's new digital communications guidelines. He testified that these guidelines state parents or the educator's supervisor should be copied on all messages with a student.

Dr. Thompson expressed that he has consistently heard from several school-based law enforcement officials that there is frustration at the lack of collaboration between school officials and law enforcement on these issues. The frustration in this area is centered around the difficulty in determining when investigations into these issues cease to be a school matter and become a law enforcement matter. Mr. Phillips and Ms. Warren discussed the difficulties that the Texas Education Agency (TEA) and district attorneys can face with litigating these types of cases. Mr. Phillips testified that TEA is notified of the arrest of an educator, but many times circumstances involving accusations of an inappropriate relationship do not result in an arrest or a reporting of the issue to local law enforcement. Ms. Warren stated that when law enforcement officials are not involved early in the investigative process evidence can be tainted or destroyed.

Mr. Phillips testified that the current statutory language on this issue only prohibits improper teacher-student relationships between district employees and students enrolled in the same district. He suggested that the Legislature could expand this statute to include students enrolled in any district.

Regarding its interim charge on inappropriate teacher-student relationships, the committee makes the following policy recommendations:

- The Legislature should consider legislation that improves and strengthens reporting requirements and related penalties for non-reporting after any indication of an inappropriate relationship between a school employee and a student has been received by a campus principal.
- The Legislature should consider legislation that further expands and supports TEA's investigative capabilities in this area.
- The Legislature should consider legislation that prohibits any district employee or contractor from an inappropriate relationship with a minor in any school district.
- The Legislature should consider legislation related to schools posting their social media and electronic communications policies online and dissemination of those policies to parents, students, and all school employees.
- The Legislature should consider legislation requiring all digital or electronic communications between a student and school employee also include a parent, supervisor, or any other school administrator in the communication. The Legislature



should consider requiring TEA to compile best practices and resources from school districts that have already implemented these policies to be shared with other school districts.

## *INTERIM CHARGE 6*

*Examine the structure and performance of the two remaining county-based school systems, Harris County Department of Education and Dallas County Schools. In particular, study the efficiency of these entities and determine whether those services are duplicative with education service centers or could be absorbed by education service centers.*

The Senate Committee on Education (committee) held a hearing on August 3, 2016, and received both invited and public testimony on Dallas County Schools and the Harris County Department of Education. A digital recording of the hearing is available via the committee's website.

The hearing included invited testimony from the following individuals:

- Dr. Wanda Bamberg, Superintendent, Aldine ISD
- Mr. James Colbert, Superintendent, Harris County Department of Education
- Mr. Hector Reyna, Chief Technology Officer, Socorro ISD
- Dr. Rick Sorrells, Superintendent, Dallas County Schools
- Mr. Don Sumners, Trustee, Harris County Department of Education
- Ms. Colleen Vera, Editor, Texas Trash Talk
- Mr. Mike Wolfe, Trustee, Harris County Department of Education

### **SUMMARY:**

The committee heard testimony from representatives of both Dallas County Schools (DCS) and the Harris County Department of Education (HCDE) about the roles and responsibilities of each entity.

Dr. Sorrells began invited testimony by describing the cost savings and services provided by DCS including: transportation, co-op purchasing agreements, an E-rate consortium, and psychology and technology services. Members of the committee pointed out that DCS taxes Dallas County residents and businesses, but does not provide services to every school district in the county. Dr. Sorrells was asked whether or not at least some of the services provided by DCS are duplicated by ESCs, which led to further discussion.

Some committee members also questioned perceived inconsistencies in data concerning transportation cost savings provided by DCS. Members discussed with Dr. Sorrells DCS's decision to purchase the licensing rights to distribute stop arm cameras in cities outside Dallas County. Mr. Reyna testified about the cost savings Socorro ISD receives by working with DCS.

Mr. Colbert testified about services provided by HCDE, including: special education therapy services, food purchasing cooperatives, Head Start, and adult education and workforce development. He testified that there are only a few services that HCDE offers that overlap with ESCs, however some members of the committee challenged this claim. Dr. Bamberg testified about the services Aldine ISD receives from HCDE.

Committee members questioned HCDE's operation of its Choice Partners purchasing cooperative and the co-operative's operations all over the United States, and members questioned

whether these operations extend beyond HCDE's operational purview. The results of a Texas State Auditor's Office report ("*An Audit Report on Selected State Contracts and Grants at the Harris County Department of Education*") were also discussed. Senators focused on the audit's finding that documentation of salaries and building improvements could not be found and some employee stipends were not approved by the board of trustees. Mr. Colbert stated that he is confident in HCDE's financial accountability after making the necessary changes in light of the audit's results.

Committee members questioned whether or not ESCs may already offer, or could potentially offer, many of the same services as the two county school systems.

Regarding its interim charge on Dallas County Schools and the Harris County Department of Education, the committee makes the following policy recommendations:

- The Legislature should continue studying the structure and performance of both DCS and HCDE. In particular, further study is necessary to determine if either entity is acting outside the scope of its intended mission.
- While taking into consideration any potential disruption to ISDs, the Legislature should continue studying whether or not services provided by DCS or HCDE could be provided by education service centers.

## *INTERIM CHARGE 7*

*Examine current school board governance policies and practices and make recommendations that could improve the focus, attitudes, and outcomes of Texas school boards, districts, and students. Study existing board training requirements for public schools and make suggestions to educate school board trustees of policies that could achieve better student outcomes, particularly within the framework set for low-performing schools in House Bill 1842 (HB1842)(84R).*

The Senate Committee on Education (committee) held a hearing on August 16, 2016, and received both invited and public testimony on governance issues. The committee took into account recently-passed legislation (HB 1842) establishing state intervention procedures for public schools with academically unsuccessful ratings of at least two consecutive school years. A digital recording of the hearing is available via the committee's website.

The hearing included invited testimony from the following individuals:

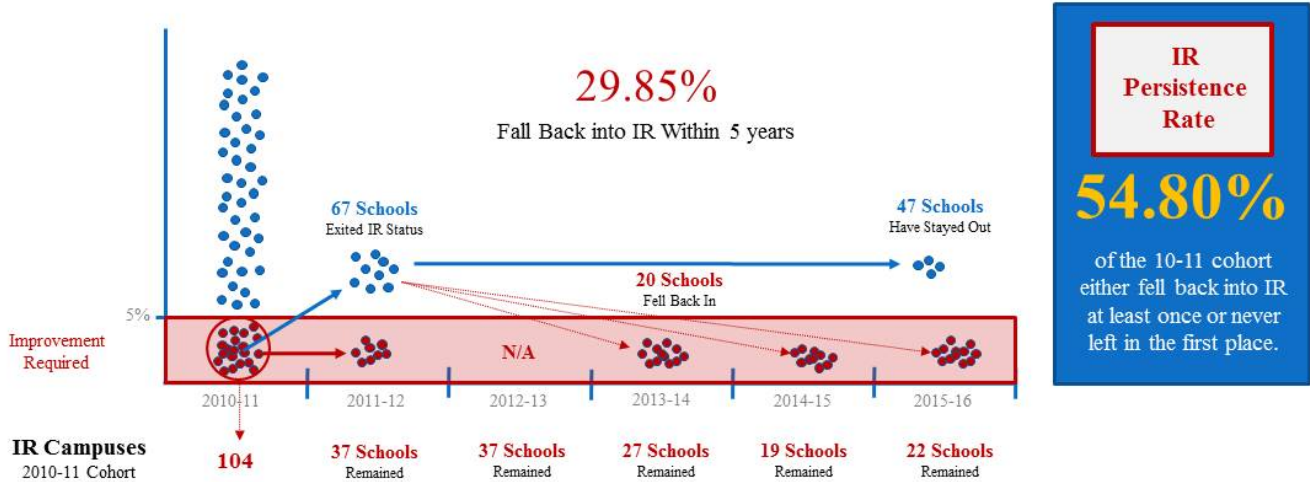
- Mr. AJ Crabill, Deputy Commissioner of Governance, Texas Education Agency
- Dr. Phil Gore, Division Director of Leadership Team Services, Texas Association of School Boards
- Dr. Michael Hinojosa, Superintendent, Dallas ISD
- Mr. Steve Lecholop, Trustee, San Antonio ISD
- Dr. Don McAdams, Former President, Center for the Reform of School Systems
- Mr. Mike Morath, Commissioner, Texas Education Agency

### **SUMMARY:**

Commissioner Morath began the day's testimony by providing the committee with an overview of *Improvement Required* campuses across the state. There are currently 239,517 students in *Improvement Required* campuses. House Bill 1842 generally expands the authority of the Texas Education Agency (TEA) to intervene in these campuses by shortening the timeline for intervention and requiring districts to submit a campus turnaround plan. Commissioner Morath outlined the high return and persistence rate of school districts in and out of the *Improvement Required* designation. He stated 104 of the 8,685 campuses were designated *Improvement Required* in the 2010–2011 school year. Of those campuses, 54.8% have either fallen back into *Improvement Required* or never left the designation. The commissioner presented the committee with the following graph detailing this information:

# Rate of Return – IR Campus Analysis

## 2010-11 Cohort



Source: TEA

The commissioner emphasized that the agency is building capacity to support positive interventions at *Improvement Required* campuses.

The committee discussed granting TEA the authority to have an Office of the Inspector General (OIG). TEA is currently the largest state agency that does not have an OIG. If TEA had an OIG within the agency, it was suggested during the hearing that they would be able to leverage existing resources in broad ways.

Mr. Crabill discussed HB 1842 and the reforms it made to the academic accountability system. Mr. Crabill stated that before HB 1842 the process of moving a campus from *Improvement Required* to *Met Standard* was primarily compliance driven. Post-HB 1842 the agency can now invest time and resources into addressing the underlying factors causing a school to enter into, remain in, or return to *Improvement Required* status.

The committee also spent significant time discussing how to better support and train school boards to ensure positive academic outcomes for students. Mr. Crabill pointed out to the committee that there are no training requirements for school boards on ethics or how to effectively monitor student outcomes. In particular, he emphasized that a collaborative process between school boards and district administrators to set student outcomes goals is important in ensuring positive student outcomes. Further, he stated that training was needed to provide this knowledge to new and current school board members. Mr. Lecholop echoed these comments by Mr. Crabill and also emphasized the positive change that a laser focus on student outcomes has created in San Antonio ISD.

Regarding its interim charge on governance, the committee makes the following policy recommendations:

- The Legislature should continue to maintain a state policy environment that supports local leaders while ensuring all students have access to a quality education and are not stuck in failing campuses.
- The Legislature should consider legislation directing TEA to disseminate information on the spectrum of interventions and available supports to school boards dealing with unsuccessful academic outcomes.

***INTERIM CHARGE 8***  
***(Joint Charge with the Senate Higher Education Committee)***

*Study teacher shortage and retention issues in Texas and evaluate educator preparation programs to determine if these programs are preparing educators for the rigors of the 21<sup>st</sup> century classroom. In particular, examine the shortages of ELL, special education, and STEM educators across the state and identify the issues creating a shortage. Make recommendations to improve educator preparation throughout the state and increase certification rates.*

The Senate Higher Education Committee and the Senate Education Committee met jointly on March 29, 2016, and received both invited and public testimony on educator preparation. A digital recording of the hearing is available via the Senate Education Committee's website.

The hearing included invited testimony from the following individuals:

- Dr. Tonya Davis, Associate Professor, Baylor University
- Mr. Ryan Franklin, Associate Commissioner for Educator Leadership and Quality, Texas Education Agency
- Dr. Diann Huber, President, iTeach
- Dr. Linda Johnsrud, Interim Provost, The University of Texas at Arlington
- Dr. Tim Letzring, Dean of the College of Education and Human Services, Texas A&M University-Commerce
- Dr. Michael Marder, Executive Director of UTeach, The University of Texas at Austin
- Mr. Pedro Martinez, Superintendent, San Antonio ISD
- Mr. Jim Nelson, Chairman, Texas Teacher Preparation Collaborative
- Dr. Jim Wussow, Assistant Superintendent for Academic Services, Plano ISD

**SUMMARY:**

For a number of years, Texas has struggled to find a balance between tackling low teacher retention rates and ensuring that teachers in the classroom are adequately prepared for their jobs. Finding this balance is no small task, but student success depends upon it. With the passage of key legislation by the 84<sup>th</sup> Legislature, regarding raising teacher preparation standards, Texas has made strides toward achieving this goal.

Ryan Franklin, Associate Commissioner, Educator Leadership and Quality, Texas Education Agency (TEA), stated that last year Texas had 342,000 teachers in the classroom. According to data from TEA, the average Texas teacher will be in the classroom for 11 years. When considering teacher attrition, it is important to consider the systemic progression of teachers in their careers, beginning with educator preparation, induction into managing a classroom of students, mentoring by expert teachers and ongoing professional development.

Mr. Franklin testified that since the 2010-2011 school year, teacher attrition has stayed consistent; however, the challenges that specific school districts face can vary greatly from year to year. This is especially true for smaller districts, where almost a quarter of the teachers leave each year, resulting in greater hiring needs. Some of the most difficult data for TEA to obtain is regarding teacher shortage areas, since hiring is all handled at the local level. Some shortage

areas that have existed in Texas for a number of years include: bilingual and English as a second language (ESL), special education, career and technical education, computer science and technology applications, mathematics and science.

Mr. Franklin testified that 68 percent of Texas teachers stay in the classroom for five years or more. When broken down by program type, the five year retention rate for undergraduate university trained teachers is 76.4 percent, for university post-baccalaureate trained teachers is 67.8 percent and for alternative certification trained teachers is 66.7 percent. Michael Marder, PhD, Executive Director, UTeach, The University of Texas at Austin, stated that according to data he has analyzed, teachers from alternative certification programs have been leaving the profession at a faster rate than teachers from traditional educator preparation programs.

Legislation passed by the 84<sup>th</sup> Legislature helps address the bilingual education and ESL teacher shortages. Specifically, House Bill 218 requires teachers assigned to bilingual education programs using a transitional bilingual or early exit transitional bilingual program to be appropriately certified. This law has allowed districts to assign multiple appropriately certified teachers for components of a dual language immersion program provided in a language other than English and in English.

Jim Wussow, PhD, Assistant Superintendent for Academic Services, Plano Independent School District (ISD), testified to issues Plano ISD is facing in recruiting and retaining ESL teachers. Currently, Plano ISD has 55,000 students enrolled with 30 percent of those being Hispanic, 10 percent Asian, 10 percent African American and 50 percent Caucasian. Dr. Wussow stated that there are 105 different languages spoken by the students and families in his school district. With the diversity of languages spoken in Plano ISD, the district faces issues with maintaining enough ESL and bilingual teachers to meet the needs of the student population. Dr. Wussow testified that they have a lot of ESL teacher turnover each year, and the district struggles to provide adequate mentorship to multiple new teachers during their first years in the classroom.

Dr. Wussow testified that recruiting bilingual certified teachers for upper grade levels is especially difficult. He stated that generally, students who need ESL courses in middle and high school need additional support from teachers in developing language acquisition skills. This can be a challenging skill for teachers to teach if they are inexperienced or did not receive proper training. Dr. Wussow testified that the district has found that the Universal Design for Learning educational model works very well for these students, as it makes learning more accessible and is very goal oriented. He stated that Plano ISD has begun using this model in other classrooms as well.

Diann Huber, EdD, President, iTeach, testified on teacher shortage areas in the state and how alternative certification programs play a role in filling these positions. With 49 percent of teachers in Texas coming from alternative certification programs every year, many of whom are teaching in shortage areas, it is important that Texas ensure these teachers are getting adequate training and mentorship. Dr. Huber recommended that Texas conduct a comprehensive workplace analysis of the teaching profession to get a better understanding of the data on teacher recruitment and retention and educator preparation.



Dr. Huber stated that this year, iTeach Texas had 1,600 teachers from their program sit for their initial teacher's certification exam. She noted that iTeach Texas' retention rate falls between 86 and 92 percent for any three year cohort, and she believes this is largely because of the intensive supervision the program provides teacher candidates during their first year in the classroom on a probationary teaching certificate. Currently, Texas mandates that educator preparation programs perform three field supervised observations for their teacher candidates during their first year in the classroom. Dr. Huber recommended that Texas increase the number of mandatory field supervisions a program must provide for their teacher candidates. This is especially important for alternatively certified teachers, as they often only receive 15 hours of training in a classroom setting before becoming the teacher of record.

iTeach is the only program not located at an institution of higher education to attain national accreditation. Dr. Huber recommends that Texas require all educator preparation programs obtain national accreditation, a requirement that exists in many other states, in order to raise the standards of all programs. Furthermore, Dr. Huber stated that in the absence of this requirement, Texas should do more to incentivize programs to acquire national accreditation.

Tim Letzring, EdD, JD, Dean, College of Education and Human Services, Texas A&M University-Commerce, testified that Texas A&M University-Commerce is the fifth largest producer of teachers among universities. Dr. Letzring spoke on the high teacher retention rates produced at Texas A&M University-Commerce; specifically, 82 percent of the early childhood through 6<sup>th</sup> grade teachers remain in the classroom after five years. He stated that although their retention rates are high, there is always room for improvement and increasing retention rates by even a few percentage points helps to reduce the state's need for new teachers each year.

Dr. Letzring attributed Texas A&M University-Commerce's high retention rates to a number of factors, including the formal partnerships the school has with 40 school districts across the region. Texas A&M University-Commerce works closely with these school districts to setup meaningful student teaching opportunities for their teacher candidates with quality mentor teachers. Dr. Letzring stated that teacher candidates spend a significant amount of time in the classroom training and becoming comfortable with the work environment. Mentorship programs during a teacher's first year are shown to have a big impact on teacher retention rates, as confirmed by a study done by the National Center for Educational Statistics. Dr. Letzring stated that Texas A&M University-Commerce is working to establish a mentor program for all of their graduates, but they currently do not have the resources to do so.

Pedro Martinez, Superintendent, San Antonio ISD, testified to some of the challenges that school districts in economically disadvantaged areas of Texas face with teacher retention and recruitment. He stated that of the 53,000 students in his district, 93 percent fall below the poverty line, and more than half of those students qualify for Head Start, many of them being ESL learners. He noted that the school districts in Bexar County hire about 3,100 teachers every year, and with two large suburban school districts adjacent to San Antonio ISD there is a severe shortfall of teachers available in this area of the state. Mr. Martinez stated that one of the results of low teacher attrition in his district, in addition to multigenerational low poverty levels, are low college readiness scores and standardized test results.

In Texas, special education teacher retention is also low. One-third of special education teachers leave the field after three years. Tonya Davis, PhD, Associate Professor, School of Education, Baylor University, stated that this is largely attributed to inadequate preparation. Special education is a general certification covering all content areas Kindergarten through 12<sup>th</sup> grade, as well as all types of disabilities. As a result, special education teachers often teach different subjects and grade levels from day-to-day, going wherever they are needed most. Dr. Davis recommended that Texas break-out the special education certification either by age range or level of disability, allowing teachers to have a more focused training and job scope.

Professional development is another area Dr. Letzring noted is especially important during a teacher's first two years in the classroom. Dr. Letzring stated that Texas will get the most return on its investment by investing in teacher support during these first two years. The Carnegie Foundation for the Advancement of Teaching found that school stability and student achievement were dramatically affected by high turnover of new teachers. High turnover was largely due to the lack of professional development opportunities.

Dr. Letzring recommended that Texas invest in more professional development for teachers, especially for those in their first two years in the classroom. He reported that 64 percent of teachers that were not retained after five years left the profession in the first two years of teaching. He stated that professional development is especially helpful for those teachers teaching out of field.

According to teacher feedback collected by Plano ISD, the district has pinpointed a couple of areas for improvement in teacher training and support. First, new teachers reported that they would have liked to have had more field experience before becoming the teacher of record in the classroom. Dr. Wussow stated that this is especially true when it comes to classroom management and situational awareness. He explained that many teachers reported that while they learned useful strategies in their preparation courses, they did not understand why some strategies worked well with some students and not others, and when to best employ them. As a result of this feedback, Dr. Wussow stated that Plano ISD is in the process of creating new professional development courses on classroom management strategies.

In Texas, there are 230 different educator preparation programs, according to data from TEA. There are eight different types of programs offered at universities, community colleges, school districts, regional service centers and private entities. Of those, alternative certification programs and undergraduate educator preparation programs certify the most new teachers every year.

Over the years Texas has worked to better oversee the different types of educator preparation programs and weed-out bad actors. In doing so, Texas has developed a set of rules that can be difficult to apply to all program types. Dr. Marder spoke on how Texas has a very unique educator preparation program environment with many different types of programs all working together towards the same goal of producing teachers. Dr. Marder recommended that Texas do more to encourage innovation among programs and partner with universities to recruit teachers for 21<sup>st</sup> century classrooms. He recommended that the state do more to collaborate with successful programs and share best practices that encourage the recruitment of mathematics and science teachers to align with the innovation that is in HB 5, passed by the 83<sup>rd</sup> Legislature.

With the passage of HB 2205 and HB 1300 by the 84<sup>th</sup> Legislature, some important changes were made to the educator preparation system in an effort to raise the standards of these programs and their graduates. Mr. Franklin testified that SBEC and TEA have been in the process of implementing these changes, with different aspects of these bills going into effect over the last year. Included in these changes are new reporting requirements for educator preparation programs on field supervision and employment data on teacher candidates, a five-time certification testing limit for teacher candidates and establishing an average cohort grade point average of 3.0 for admittance into a program. These changes will better ensure teachers are entering the classroom prepared to educate.

Dr. Marder spoke on the University of Texas' unique UTeach educator preparation program. The UTeach program was developed at the University of Texas at Austin as a collaboration between the College of Natural Sciences and the College of Education to help address the shortage of mathematics and science teachers across Texas. The UTeach program model, while based at a higher education institution, operates very differently from traditional educator preparation programs. Since its development in 1998, UTeach has expanded to more subject areas, as well as seven institutions across the state and 44 institutions nationwide, producing about 200 mathematics and science teachers each year. UTeach has proven to be a very effective method of teacher preparation and allows students to major in a subject of their choosing, as well as earn a teaching certificate just in four years.

Mr. Martinez stated that the need for qualified teachers in San Antonio ISD is so great that expanding programs, such as the UTeach program, is paramount. Linda Johnsrud, PhD, Interim Provost, University of Texas at Arlington (UT-Arlington), also stated her support for the UTeach program. She stated that it has greatly increased the number of mathematics and science teachers UT-Arlington produces every year. Since the program is located in the College of Science, as opposed to the College of Education, it is very successful at recruiting those students into teaching.

Dr. Marder testified that thousands of Texas' mathematics and science teachers are teaching out of their certified fields and without the proper credentials. With the passing of HB 5, the demand for mathematics and science teachers has slightly reduced, as there is more diversity in the courses offered; however, as a result, determining if there is a shortage of mathematics and science teachers has become more challenging. Furthermore, Dr. Marder stated that the number of computer science teachers has remained consistently too low to offer computer science as broadly as other sciences such as chemistry and physics.

Texas is producing fewer mathematics and science teachers now than it has in almost a decade. Dr. Marder testified that traditional educator preparation programs have been consistently producing the same number of mathematics and science teachers; however, that number is too low to meet the state's needs. Alternative certification programs have seen a more dramatic decline in the number of mathematics and science teachers they produce in the past ten years.

Dr. Davis testified on Texas' need for more qualified special education teachers. She stated 70 percent of special education students are taught in general education classrooms with their peers. Most special education teachers work with the general education teacher to assist special education students in the classroom discreetly. She recommended that Texas require all general

education teachers receive special education training. Whether that be coursework or field experience, she stated that most general education teachers will work with special education students in their classrooms, and it is important that they are adequately trained. In fact, Dr. Davis noted that 95 percent of general education classrooms include at least one special education student. Dr. Davis pointed out that, as a result of this training, more teacher candidates would be able to consider special education as an area of focus.

Jim Nelson, JD, Chairman, Texas Teacher Preparation Collaborative (the Collaborative), testified on the work the Collaborative is doing in gathering input from stakeholders from across the state and country on educator preparation. The Collaborative is comprised of deans of colleges of education, leaders of alternative certification programs, teachers, superintendents, professional development administrators and teacher preparation advocates. It is the goal of the Collaborative to provide the Legislature, TEA, and school districts with comprehensive policy recommendations and best practices. Mr. Nelson testified that the Collaborative is studying what is currently happening in educator preparation and how Texas can ensure every classroom has a qualified teacher every day.

While educator preparation is a critical component of preparing quality teachers, time spent in the classroom training and gaining experience is paramount. Mr. Nelson stated that it is important that educator preparation programs have good relationships with the school districts in which their teacher candidates are placed, to ensure feedback on teacher candidates is reported to the candidates and their mentors.

Dr. Johnsrud testified on how UT-Arlington's College of Education works with school districts in the community to recruit and train quality teachers. UT-Arlington has partnerships with 20 of the surrounding school districts in the region, and Dr. Johnsrud stated that these partnerships are beneficial for the students, school districts and the university.

In one such partnership, UT-Arlington and Arlington ISD established a Teacher Academy. This Teacher Academy will give students in their last two years of high school the opportunity to earn 24 hours of college credit from UT-Arlington's College of Education at no cost. Upon graduating from high school, these students will only have three years remaining to obtain a bachelor's degree in education and can transfer seamlessly to the UT-Arlington College of Education. Furthermore, these students will be guaranteed teaching positions at Arlington ISD upon completion of their bachelor's degree. Dr. Johnsrud stated that this partnership allows Arlington ISD to recruit and retain quality teachers from their own community and establish a quality teaching pipeline.

Mr. Martinez testified on San Antonio ISD's partnership with Trinity University to recruit and retain quality teachers in their classrooms. He stated that this fall, San Antonio ISD has partnered with Trinity University to open an advanced learning academy, available to all students from the district who want academic challenges and opportunities for acceleration. This partnership allows resident teachers to earn a free master's degree while teaching at the academy and be trained by highly qualified mentor teachers. Mr. Martinez stated that this partnership will encourage teachers will stay in San Antonio ISD long-term and eventually allow them open more advanced learning academies throughout the district.

Well-trained teachers are essential to the success of students in Texas' education system. The Senate Higher Education Committee and Senate Education Committee heard from stakeholders across the state on best practices for preparing, recruiting and retaining quality teachers in the classroom. It is important that, moving forward, Texas continue to share and promote these best practices.

Regarding their interim charge on educator preparation, the committee makes the following policy recommendations:

- The Legislature should explore options for Texas to conduct a comprehensive workplace analysis of the teaching profession in order to provide a better understanding for policy makers of the data on teacher recruitment, retention, shortage areas and educator preparation.
- The Legislature should consider separating the general special education certification either by age of student, level of disability, or a combination of the two, allowing teachers to have a more focused training and job scope.
- The Legislature should encourage the State Board of Education to require training in special education for all certified teachers.
- In order to raise the standard of all educator preparation programs, the Legislature should explore the effect of requiring all Texas educator preparation programs to get national accreditation and whether there are ways for the state to incentivize programs to acquire national accreditation.
- The Legislature should further study how to improve professional development for teachers, especially in their first few years in the classroom.
- The Legislature should continue to find ways to increase the number of math, science, bilingual education, special education and computer science teachers across the state.
- The Legislature should direct the Texas Education Agency and the Texas Higher Education Coordinating Board to study successful educator preparation programs, such as UTeach, in order to share best practices among providers.

*INTERIM CHARGE 9  
(Joint Charge with the Senate Higher Education Committee)*

*Monitor the ongoing implementation of HB 5 (83R), and examine current projections for preparation of Texas high school students for postsecondary education and workforce training. Examine best practices and recommend strategies to align the implementation with the 60x30TX higher education plan, including, but not limited to, dual credit, credit transferability, and fields of study.*

The Senate Higher Education Committee and the Senate Education Committee met jointly on March 29, 2016, and received both invited and public testimony on the implementation of House Bill 5 (83R). A digital recording of the hearing is available via the Senate Education Committee's website.

The hearing included invited testimony from the following individuals:

- Mr. Joe Arnold, Governmental Affairs Manager, BASF Corporation
- Mr. H.D. Chambers, Superintendent, Alief ISD
- Mr. Elijah Granger, Executive Director of Secondary Education and Accountability, Lancaster ISD
- Dr. Stephen Head, Chancellor, Lone Star College
- Mr. Mike Morath, Commissioner, Texas Education Agency
- Dr. Raymund Paredes, Commissioner, Texas Higher Education Coordinating Board
- Dr. Steve Thomas, President, Midland College

**SUMMARY:**

With the passage of House Bill (HB) 5 by the 83<sup>rd</sup> Legislature, Texas established the Foundation High School Program, under which all high school students will graduate beginning in 2018. One of the primary goals of this legislation was to better prepare high school students for the current job market. In accomplishing this goal, Texas' education and higher education systems and the workforce must collaborate to create a seamless pathway for students, arming them with the skills they need to be successful. It is essential that Texas' high school students graduate ready for their postsecondary path, whether that is entering the job market or earning a postsecondary degree, certification or credential.

House Bill 5 testimony focused on how school districts are managing its implementation and how the state can replicate successful practices. Mike Morath, Commissioner, Texas Education Agency (TEA), reviewed some of the highlights from the District-Level Survey results from the 2014-2015 school year. He stated that the more common endorsements school districts offer are Multidisciplinary Studies, Business and Industry, and Science Technology, Engineering and Mathematics (STEM) endorsements. Commissioner Morath testified that school districts were more likely to implement the endorsements for which they already had course offerings and staff capacity.

Elijah Granger, Executive Director of Secondary Education and Accountability, Lancaster Independent School District (ISD), testified that Lancaster ISD is a STEM-focused district. At Lancaster High School, all five endorsements have an emphasis on STEM courses and

preparation begins as early as elementary school. Each elementary school campus is assigned a STEM pipeline and once students reach the 6th grade, they begin taking more STEM classes. This allows students to gain exposure to the different endorsement pathway options they will have in high school and better prepares them to make a selection.

With college admissions standards on the rise, there is some concern about the rigor of the Foundation High School Program because it lacks a mandatory third and fourth year mathematics course in several of the endorsements. Commissioner Morath reported that results from the District-Level Survey showed that 45 percent of school districts who responded plan to offer Statistics and 30 percent plan to offer Algebraic Reasoning as an additional third or fourth year mathematics course option for students. Furthermore, 37 percent of responding school districts reported requiring students to complete Algebra II prior to graduating.

Over the last five years, Texas has seen a rise in the number of high school students earning multiple Career Technology Education (CTE) credits. According to data from TEA, students earning multiple CTE credits have increasingly higher graduation rates compared to their peers. Additionally, the number of dual credit courses being completed, as well as the number of students completing them, is on the rise. Commissioner Morath noted that in the 2014-2015 school year, 222,352 dual credit courses were completed and 30,889 of those were CTE courses.

Raymund Parades, Commissioner, Texas Higher Education Coordinating Board (THECB), stated that it is too early to measure how HB 5 has impacted college readiness. He stated that the biggest data point demonstrating the gap between secondary education and higher education is that currently, 40 percent of students who have an "A" grade point average in high school must take a developmental education course once they get to college. Commissioner Morath stated that TEA will soon begin measuring college readiness within the guidelines the Legislature has laid out using one of the successful indicator exams, such as the Texas Success Initiative (TSI), ACT or SAT, using historical data as well.

Stephen Head, PhD, Chancellor, Lone Star College, noted that at Lone Star College, 40 percent of incoming students need developmental education. Lone Star has been working with school districts in the area to use the PSAT exam to better determine while students are still in high school if they are on the path to being college ready at graduation.

In addition to the statewide concern regarding college readiness, Joe Arnold, Governmental Affairs Manager, BASF Corporation, noted the extensive workforce gap the chemical industry has experienced in the last several years. Currently, the chemical industry has \$45 billion in expansions underway, but not enough qualified applicants to fill the newly created positions. Mr. Arnold stated that the Texas Chemical Council was very pleased with the passage of HB 5, and believes it will bring a systemic change to the relationship between education and the workforce.

The workforce relies directly on Texas' education system to ensure that job openings are filled by qualified persons. Collaboration between Kindergarten through 12th grade (K-12) teachers, higher education staff and business leaders is imperative to prepare Texans for in-demand jobs. Mr. Arnold stated that the workforce must collaborate to get skilled workers through the education system prepared with the skills they will need to fill vacant positions.

Dual credit has proven to be very beneficial for students seeking a postsecondary degree, by allowing them to attain college credit at no or low cost while still in high school. Commissioner Parades cautioned that schools must ensure that only those students determined to be college ready are enrolled dual credit courses. He stated that dual credit courses do not help students become college ready; however, they provide those students who are college ready the opportunity to attain college credit.

Commissioner Parades expounded upon this, stating that Texas must be careful about the way it expands dual credit programs. He believes that the number of students who are currently capable of taking a dual credit course are likely already enrolled. Students that take dual credit courses and are not ready for college-level coursework can lower the standards of dual credit courses, while simultaneously not becoming any more ready for college.

Commissioner Parades, Chairman Seliger and Chairman Taylor all agreed that the state needs to conduct a longitudinal study examining how well students who take dual credit coursework are doing in college to ensure that dual credit courses are being taught at the college level. Commissioner Morath commented that TEA will develop a reliable measure to ensure dual credit courses are being taught at the college level.

Chairman Taylor recommended that this report focus on the specific dual credit subject area(s) a student is enrolled in at a postsecondary institution and how well that student does in subsequent coursework. He suggested that the THECB work with higher education institutions to compile a list of institutions that accept dual credit courses and whether those courses are accepted as credit in a particular subject area. Chairman Seliger emphasized that the state must ensure that the dual credit courses being offered at high schools are college courses that satisfy core curriculum credit.

Dual credit not only gives students the opportunity to take college credit in high school, it also prepares students and parents for college earlier. H.D. Chambers, Superintendent, Alief Independent School District (ISD), stated that it is critical that families have conversations with schools about what it means to be college ready. Alief ISD administers the TSI as an entrance exam for dual credit courses. The district typically administers the TSI to ninth and tenth graders so that they can detect early-on if any remediation is needed to get students college ready and into dual credit courses.

Dr. Head discussed the important role dual credit plays in the transfer pathway for students who go on to a postsecondary institution after high school. He noted the success rate of students who take dual credit in high school is significant. Eighty-two percent of students who take a dual credit course in high school and transfer to Lone Star College earn "A"s, "B"s or "C"s. There is a 13 percent greater success rate for students at Lone Star College who have taken a dual credit course than those who did not.

Mr. Chambers stated that the best way for Texas to move towards a seamless transition between high school and a postsecondary degree is through early college high schools. Alief ISD has both a traditional early college high school and a CTE early college high school, and Mr. Chambers noted that they have seen great success at both schools. Students graduating from an early



college high school who have met all of the requirements will graduate from high school with a high school diploma and an associate's degree.

Steve Thomas, PhD, President, Midland College, testified on the successful early college high school at the Midland College campus. This early college high school is set up so that students from Midland ISD spend all four years in high school on the Midland College campus - the first two years are spent taking high school classes taught by Midland ISD staff and the last two years taking college courses fully integrated into Midland College classrooms. Dr. Thomas stated that this past year, 81 percent of students in the program earned an associate's degree as well as a high school diploma upon graduation, and many of them received scholarships to continue their educations at four-year institutions.

The Pathways in Technology Early College High School (P-TECH) initiative, recently launched by Lt. Governor Dan Patrick, helps to create partnerships between K-12, higher education and industry - specifically the technology industry. P-TECH academies are similar to early college high schools but offer high school students the opportunity to learn and receive guidance from technology industry professionals, with increased opportunities for internships and jobs upon graduation.

Commissioner Morath discussed TEA's priorities regarding the continuing implementation process of HB 5. First, he noted that TEA must define Endorsement Pathway Endpoints. Namely, this entails clarifying the current industry certification list to ensure all licenses, certifications, and degrees that lead to high demand, high wage employment have been identified. Additionally, TEA, the THECB and the Texas Workforce Commission must collaborate to identify postsecondary college and career pathways and streamline completion time and cost for students.

Commissioner Morath stated that several collaborative initiatives by these three agencies are underway, including the formation of regional workforce planning groups to help identify the most appropriate industry certifications regionally and statewide. The goal is to have this list of certifications finalized by the end of the 2016-2017 academic year. Once this list of certifications is completed, Commissioner Morath stated that TEA will develop graduation pathway templates aligned to each certification area. The templates will include postsecondary coursework from community colleges to help students follow the quickest and least expensive pathway. These templates will aid school districts in adjusting course offerings, so that students are prepared for immediate workforce needs and high demand jobs. TEA hopes to have these templates completed by the 2017-2018 academic year.

Mr. Granger recommended that TEA better guide school districts on student transfers among districts. Since some districts offer all five endorsements and some offer only a few, it is a challenge for students who change from one district to another with different endorsement offerings. He proposed there be crosswalks between classes, to make it easier for counselors to better place students and award them credit.

Another TEA priority in the implementation of HB 5 is to develop a set of tools for school districts to utilize when counseling students on career pathways and in formalizing personal graduation plans. While some tools already exist, they are not widely available or used. This

robust set of tools will be aligned with industry certificates as well as the pathway templates. Commissioner Morath testified that they will also be customized to contain industry information, such as wage information and career advancement opportunities, as well as higher education information including necessary degrees and certifications and the associated cost.

One of Lancaster ISD's best practices in implementing HB 5 is vertical training and collaboration with school counselors across K-12. Mr. Granger explained that this ensures that elementary school, middle school and high school counselors collaborate regularly and are able to provide students with the best, most up-to-date information.

Students need guidance and information in choosing an endorsement so that they are able to make informed decisions, understanding the long-term impact this decision may have on their educations and careers. Mr. Granger recommended that more funding be made available for school districts to hire more guidance counselors. He stated that the demands on counselors under HB 5 are tremendous, and it is critical that districts have enough counseling staff to advise students in all areas. Mr. Chambers noted that the passage of House Bill 18 by the 84<sup>th</sup> Legislature established Texas OnCourse, and it will soon be a great resource for counselors to obtain technical training on the best way to advise students under HB 5 and the endorsement selections.

Finally, continued research and development to inform improvement efforts is also a priority of TEA in the ongoing implementation of HB 5. TEA will monitor programs in an ongoing basis, so as to be able to quickly adjust and respond and make necessary changes to rules and to support districts across the state. TEA collects a wealth of data on student achievement, so adjusting practices according to this data is crucial.

Senator West recommended that TEA set date-certain milestones for school districts to meet in the implementation process of HB 5. The state can then hold districts accountable and parents can have more information about the status of the implementation process. He stated that school districts, not schools, should be held accountable for these implementation milestones since they are the ones allocating resources to schools.

Mr. Chambers stated that while evaluating the implementation of HB 5, it is important to remember that high schools are still managing students graduating under the "4x4" graduation plan as well as the Foundation High School Program. He stressed that patience and support from the Legislature is important as school districts continue to work through the implementation process. There will continue to be both successes and struggles as schools determine what works best for their students under the flexibility of HB 5.

Commissioner Paredes outlined Texas' new higher education strategic plan, *60x30TX*, and explained how this plan benefits from strong alignment with K-12 on postsecondary readiness. The main goal of *60x30TX* is that 60 percent of persons 25-34 years of age in Texas will attain a postsecondary credential by 2030 and graduate with marketable skills with debt not exceeding 60 percent of their first-year wages. Commissioner Paredes noted that one of the strategies in *60x30TX* is for the THECB and TEA to work together in updating the college and career readiness standards.

Dr. Head stated that there are two primary pathways for community college students; one is the transfer pathway for students who will transfer to a university from community college, the second is the workforce pathway, for those who will get a job upon graduation. To help students navigate these two pathways, Lone Star College has hired nearly 90 advisors.

Dr. Thomas testified on Midland College's articulation agreements with Baylor University and the Baylor Bound program. While Midland College has a number of different transfer articulation agreements with universities, this program demonstrates a strong partnership between a community college and a university. Dr. Thomas stated that one unique thing about the Baylor Bound program is that once a student declares they want to transfer, Baylor's advising staff begins communicating with them immediately. At Midland College there are a number of Baylor advising staff on site to make the transfer process as seamless as possible for students. They guide students on which courses will transfer as credit towards each major at Baylor University in order to ensure that students do not lose any credit in the transfer process. Dr. Thomas suggests that this method of advising can be utilized by all universities across the state.

It is clear from the testimony on the current implementation of HB 5 that there is still work to be done by school districts, TEA, THECB, the workforce and the state to ensure the Foundation High School Program is successful at producing college ready graduates. It will take several more years before there is comprehensive data showing the impact HB 5 has had on Texas' K-12 education system, postsecondary education and the workforce. Collaboration between the workforce and state agencies has produced productive conversation and generated many good ideas, but this conversation must continue and must be seen through to completion. As school districts phase out the "4x4" graduation plan this year and shift the focus solely to the Foundation High School Program next fall, Texas must do all it can to support school districts in this transition.

Regarding their interim charge on the implementation of HB 5 (83R), the committee makes the following policy recommendations:

- The THECB should conduct a longitudinal study examining the rigor of dual credit and how students who take dual credit perform in subsequent courses. Additionally, meaningful data should be gathered on those students taking dual credit courses, but not entering postsecondary education upon completion of high school.
- The Legislature should monitor the forthcoming recommended industry certification proposed by the TEA for the 2017-2018 school year.
- The Legislature should explore ways for the state to incentivize collaboration between school districts and higher education institutions to create P-16 pathways and crosswalks for students, to aid in navigating their endorsements and academic plans to better ensure successful completion.
- In order to ensure students are receiving accurate academic advising, the Legislature should direct the TEA and the THECB to collaborate and implement vertical training for both school district counselors and higher education advisors.

- The Legislature should continue to discuss ways the state can assist districts in transitioning students who transfer from one school district to another where endorsement offerings do not align.

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# MONITORING CHARGES

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## *MONITORING CHARGE 10.A*

*Monitor the implementation of legislation addressed by the Senate Committee on Education and make recommendations for any legislation needed to improve, enhance, and/or complete implementation. Specifically, monitor the following:*

- *Legislation establishing state intervention procedures for public schools with academically unsuccessful ratings of at least two consecutive school years; and providing school districts the ability to be designated as a district of innovation.*

The Senate Committee on Education (committee) held a hearing on September 14, 2016, to consider the portion of the interim charge relating to districts of innovation. The committee previously considered the "state intervention procedures for public schools with academically unsuccessful ratings of at least two consecutive years," as part of the governance charge hearing held on August 16, 2016. Digital recordings of both hearings are available via the committee's website.

The September hearing included invited testimony from the following individuals:

- Mr. Juan Cabrera, Superintendent, El Paso ISD
- Mr. AJ Crabill, Deputy Commissioner of Governance, Texas Education Agency
- Dr. Scott Muri, Superintendent, Spring Branch ISD
- Dr. Ann Smisko, Deputy Director of Policy and Programs, Raise Your Hand Texas

### **SUMMARY:**

Besides establishing consistent and transparent intervention procedures for underperforming Texas public schools, House Bill 1842 (84R) allows independent school districts (ISDs) with acceptable accountability ratings to designate themselves as districts of innovation. These districts may choose to exempt themselves from sections of the Texas Education Code from which Texas public charter schools are exempt.

During the hearing the committee heard from Mr. Crabill who pointed out that the TEA Commissioner does not have the authority to approve or deny the plans of any district of innovation, but the commissioner is authorized to revoke a district of innovation designation if that district fails to meet acceptable standards for two consecutive years. Current statute requires the commissioner to revoke the district of innovation status if the district fails to meet acceptable standards for three consecutive years.

Testimony revealed Texas ISDs varying in size, location, and demographics have already availed themselves of the opportunity to become districts of innovation, and the committee heard from two superintendents representing ISDs that have made the choice to do so.

Based on the experiences of ISDs that become districts of innovation, the committee recommends that the Legislature should consider whether or not any statutory changes are necessary.

### ***MONITORING CHARGE 10.B***

*Monitor the implementation of legislation addressed by the Senate Committee on Education and make recommendations for any legislation needed to improve, enhance, and/or complete implementation. Specifically, monitor the following:*

- *Initiatives to build a high-quality pre-kindergarten grant program.*

The Senate Committee on Education (committee) held a hearing on August 16, 2016, and received both invited and public testimony on its charge to monitor the implementation of House Bill 4 (84R). A digital recording of the hearing is available via the committee's website.

The hearing included invited testimony from the following individuals:

- Ms. Linda Ellis, Assistant Superintendent of Teaching and Learning, Grand Prairie ISD
- Ms. Pam Lowe, Instructional Director, Alief ISD
- Mr. Lance Menster, Elementary Curriculum Officer, Houston ISD
- Dr. Penny Schwinn, Deputy Commissioner of Academics, Texas Education Agency

#### **SUMMARY:**

House Bill 4 provides funding for schools that operate a high-quality pre-kindergarten program and also requires the Texas Education Agency (TEA) to collect data on pre-kindergarten programs across the state. According to Dr. Schwinn's testimony during the hearing, 578 schools received \$734 for each eligible student under the program.

The committee also received testimony from school officials on the implementation of HB 4. The officials testified on the positive impact that HB 4 has had in strengthening, supporting, and growing their pre-kindergarten programs. Ms. Lowe testified that Alief ISD has used funding under HB 4 to increase teacher capacity through professional development, to encourage family engagement, and to purchase curriculum and instructional materials.

The committee recommends that the Legislature should continue to monitor the implementation of HB 4, especially as data from high-quality pre-kindergarten providers is analyzed by TEA, and determine whether any future legislative changes are necessary.

### *MONITORING CHARGE 10.C*

*Monitor the implementation of legislation addressed by the Senate Committee on Education and make recommendations for any legislation needed to improve, enhance, and/or complete implementation. Specifically, monitor the following:*

- *Legislation to raise standards of teacher preparation programs and establish a more consistent, high-quality accountability system.*

The Senate Committee on Education (committee) held a hearing on August 16, 2016, and received both invited and public testimony on its monitoring charge related to House Bill 2205 (84R). A digital recording of the hearing is available via the committee's website.

The hearing included invited testimony from the following individuals:

- Ms. Holly Eaton, Director of Professional Development and Advocacy, Texas Classroom Teachers Association
- Mr. John Fitzpatrick, Executive Director, Educate Texas
- Dr. Diann Huber, President, iTeach
- Ms. Sandi Jacobs, Principal, Education Counsel
- Dr. Scott Ridley, Dean of the College of Education, Texas Tech University
- Mr. Martin Winchester, Deputy Commissioner of Educator Support, Texas Education Agency

#### **SUMMARY:**

Texas offers a wide variety of options for people interested in becoming teachers: traditional undergraduate programs, post-baccalaureate programs, private certification providers, and certifications offered by regional service centers and school districts. Texas has a high percentage of teachers certified through alternative certification programs. In the 2014–2015 school year, 49% of new teachers were certified in an alternative certification program, and the average in other states is between 10 and 12%.

HB 2205 requires more extensive data reporting to TEA by educator preparation programs and raises the minimum grade point average for new educator preparation course cohorts among other things. Mr. Winchester, Mr. Fitzpatrick, and Ms. Jacobs testified on the specifics of HB 2205's implementation this interim. Mr. Fitzpatrick testified that HB 2205 reflects the Legislature's and TEA's commitment to continuously improve teacher preparation.

The committee recommends that the Legislature should continue to monitor the implementation of HB 2205.



### *MONITORING CHARGE 10.D*

*Monitor the implementation of legislation addressed by the Senate Committee on Education and make recommendations for any legislation needed to improve, enhance, and/or complete implementation. Specifically, monitor the following:*

- *Program to require the placement and use of video cameras in self-contained classrooms or other settings providing special education services to students.*

The Senate Committee on Education (committee) held a hearing on February 10, 2016, and received both invited and public testimony on its charge to monitor Senate Bill 507 (84R). A digital recording of the hearing is available via the committee's website.

The hearing included invited testimony from the following individuals:

- Mr. Steve Aleman, Policy Analyst, Disability Rights Texas
- Ms. Janna Lilly, Government Relations Director, Texas Counsel of Administrators of Special Education
- Ms. Monica Martinez, Associate Commissioner for Standards and Programs, Texas Education Agency

#### **SUMMARY:**

Senate Bill 507 allows parents and select school officials to request video and audio recordings of certain students in self-contained special education classrooms. When the committee heard testimony on SB 507, the act was still in the early stages of regulation. As regulation has continued this interim, the legislation has been implemented differently than the Legislature intended. SB 507 has been regulated so that one request triggers the installation of cameras across an entire district. The legislative intent was demonstrated on numerous occasions, including during the committee's original discussion of the legislation, in a letter from the committee's Vice-Chairman and author of the bill to the Texas Education Agency (TEA), and numerous times during the committee's interim hearing on SB 507 on February 10<sup>th</sup>.

Regarding its interim charge to monitor the implementation of SB 507, the committee makes the following policy recommendations:

- The Legislature should continue to work with stakeholders to ensure SB 507 can be successfully implemented in ways that minimize the burden on school administration officials and campuses.
- The Legislature should clarify the breadth of a request made by a parent, staff member, or administrator.
- The Legislature should clarify the definition of "staff member" in statute. The Legislature should align the new definition with the one originally implemented in the Texas Education Agency's rulemaking.

- The Legislature should consider other clarifying and technical changes that reinforce the original intent of the legislation and are responsive to the concerns of school districts and stakeholders.
- The Legislature should consider ways to further encourage gifts, grants, or donations of cameras or funding to school districts to implement SB 507.

### *MONITORING CHARGE 10.E*

*Monitor the implementation of legislation addressed by the Senate Committee on Education and make recommendations for any legislation needed to improve, enhance, and/or complete implementation. Specifically, monitor the following:*

- *Legislation to address training support for counselors, and advising courses for middle school students.*

The Senate Committee on Education (committee) held a hearing on February 10, 2016, and received invited testimony on the implementation of House Bill 18 (84R). A digital recording of the hearing is available via the committee's website.

The hearing included invited testimony from the following individuals:

- Ms. Jan Friese, Executive Director, Texas Counseling Association
- Dr. Harrison Keller, Deputy to the President for Strategy and Policy, University of Texas at Austin
- Ms. Monica Martinez, Associate Commissioner for Standards and Programs, Texas Education Agency

#### **SUMMARY:**

House Bill 18 was passed with the intent of improving professional development opportunities for school counselors, particularly those tasked with counseling students about their high school endorsement choices created by House Bill 5 (83R). Among other requirements, HB 18 also requires schools to provide instruction to every Texas student, in either the 7<sup>th</sup> or 8<sup>th</sup> grade, about preparing for high school, college, and career.

Ms. Martinez testified that the implementation of HB 18 involves several state agencies. The Texas Education Agency (TEA) is tasked with implementing career exploration courses for middle school students. Several committee members expressed concern over the lack of a mechanism to monitor whether or not districts are offering the course content required by HB 18.

Dr. Keller updated the committee on implementation efforts by the Center for Teaching and Learning at the University of Texas at Austin (center). He outlined plans to provide online training for counselors and advisers across the state and explained how this training will enable them to counsel students about the options provided through HB 5. Dr. Keller noted that part of the center's charge is to provide online learning opportunities to satisfy the requirements of HB 18 for students and their families. He also answered questions from the committee about efforts to reach out to counselors across the state to inform them about available resources, now known as Texas OnCourse, and discussed efforts to involve potential employers in a dialogue about workforce needs.

The committee recommends that the Legislature should continue to monitor the implementation of HB 18, especially in relation to its support of the successful implementation of HB 5, and determine whether any future legislative changes are necessary.

### *MONITORING CHARGE 10.F*

*Monitor the implementation of legislation addressed by the Senate Committee on Education and make recommendations for any legislation needed to improve, enhance, and/or complete implementation. Specifically, monitor the following:*

- *Legislation to establish criteria for alternative measures of assessments to meet high school graduation requirements.*

The Senate Committee on Education (committee) held a hearing on September 13, 2016, and received both invited and public testimony on the implementation of Senate Bill 149 (84R). A digital recording of the hearing is available via the committee's website.

The hearing included invited testimony from the following individual:

- Dr. Penny Schwinn, Deputy Commissioner of Academics, Texas Education Agency

#### **SUMMARY:**

Senate Bill 149 authorized the use of an Individual Graduation Committee (IGC) as an alternative method for satisfying certain public high school graduation requirements.

Dr. Schwinn testified that SB 149 applies only to Texas public school students classified as 11<sup>th</sup> or 12<sup>th</sup> graders during the 2014–2015, 2015–2016, or 2016–2017 school years and who fail to pass no more than two end-of-course assessments.

Committee members encouraged the Texas Education Agency to aggregate important data about students who have graduated as a result of SB 149 and to make that data available for consideration during the 85<sup>th</sup> Legislative Session.

SB 149 has a sunset date of September 1, 2017, and without legislative action a high school student in Texas will not have the option of graduating with a diploma awarded on the basis of an IGC recommendation beyond that date.

The committee recommends that the Legislature should consider whether continuing IGCs beyond September 1, 2017, would be beneficial to the students of Texas.

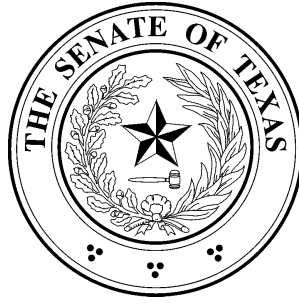
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# LETTERS FROM MEMBERS

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November 9, 2016

The Honorable Larry Taylor  
Chairman  
Senate Committee on Education  
P.O. Box 12068  
Austin, TX 78711

Dear Chairman Taylor:

Thank you for your leadership on the Texas Senate Committee on Education and for organizing informative hearings that resulted in a comprehensive Interim Report to the 85<sup>th</sup> Legislature.

We submit this letter in an effort to more fully inform the record on a few of the Interim Charges.

On Interim Charge 1, related to school choice programs, the interim report accurately reflects some arguments against creating a private school voucher or school choice plan, including the potential for fraud and need for financial oversight, concerns that local public school districts that lose students to private schools could be negatively impacted financially, and that the minimal accountability measures imposed on private schools would be inconsistent with ISD and charter school accountability measures, in particular the lack of TEKS curriculum-aligned STAAR testing that is the essence of public school accountability. However, the interim report does not mention many other concerns that were discussed by experts and advocates including:

- Rigorous research on vouchers and similar school choice programs shows that the effect on student achievement and other outcomes is mixed at best.<sup>1</sup>
- In addition to inconsistent accountability measures, private schools lack any meaningful oversight when it comes to teacher certifications, class size limits, special student services, admissions policies, school discipline, medical services, or tuition or fee regulation. The lack of oversight may result in many students not having a meaningful option of attending a private school.
- School choice programs, such as Educational Savings Accounts (ESAs) and tax credit savings scholarships, allow parents to receive reimbursement payments from a state's comptroller or treasurer. Currently, the Texas Comptroller of Public Accounts does not have the capacity or infrastructure to review and distribute reimbursements to potentially thousands of individual Texas families while also ensuring accountability and preventing fraudulent claims.

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<sup>1</sup> See testimony from IDRA, AFT, TCEP, and others

- Texas already offers a vast array of school choice options. Under House Bill 5 from the 83rd Legislative Session, public high schools in Texas offer a vast array of endorsements and courses that are not likely to be available at private schools. Further, public schools now include early college high schools, magnet schools, charter schools, International Baccalaureate diploma programs, and Performing Arts public schools. Many ISDs, especially those with struggling campuses, also offer open enrollment across the district. Clearly, school choice already exists in most urban and suburban areas of Texas, and private school vouchers or ESAs would do little to improve school choice in rural areas of Texas that lack existing private school options.
- Nevada is the only state to pass legislation authorizing ESAs for all students. However, the law was not implemented due to litigation. The Nevada Supreme Court recently found the law unconstitutional, thereby negating any opportunity to study the impact of their proposal.
- The preliminary research into Nevada's proposal showed applications from households with income above \$100,000 outnumbered applications from households with income below \$25,000 by five times (28 vs. 146). In addition, there were 35 applications received for every 1,000 school-aged children in households with incomes above \$100,000, as compared to only three applications for every 1,000 school-aged children from households with incomes below \$25,000. This analysis is consistent with previous studies of vouchers and tax credits showing that these programs typically do not serve the lowest poverty groups compared to other groups.<sup>2</sup>
- Lastly, the Committee heard a great deal of testimony about the availability of private school seats. The largest provider, the Catholic Diocese, testified that about 14,000 seats are available in Catholic schools statewide in Texas. However, in a state as large as Texas, with a growing number of students, especially low-income students, there are simply not enough private school seats available to accommodate even a small percentage of Texas students currently enrolled in public schools. Texas would be better served putting more resources into low-income, at-risk, and English Language Learner student programs instead of reallocating public school funding into private schools that would be under no obligations to admit these students.

On Interim Charge 2, related to charter school reforms and facility funding, the interim report lays out the need to legislatively address the disposition of property after a charter has been revoked or non-renewed. However, the report does not include concerns about the possibility of allowing charter schools to access either the Permanent School Fund or per-pupil facility funding.

State data presented by IDRA, teacher unions, and other associations demonstrated that charter schools, on average, perform worse than traditional public schools with a greater percentage of charters receiving the lowest accountability ratings when compared to traditional public schools.

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<sup>2</sup> See testimony from IDRA

In addition, testimony revealed that the state is under-investing in supporting public school facilities.

With limited resources available, the state should proceed with extreme caution in considering expanding facilities funding for charter schools because the pool of resources for traditional public schools would be further diminished. Many school districts across Texas are attempting to pass school bond elections to address facility needs due to the under-funding of facility needs at the state level.

On Interim Charge 7, related to the training requirements of public school board trustees. The committee should recommend that current and new school board trustees of public and charter schools across Texas must complete a specified number of training hours or credits each year. If a trustee fails to complete the specified number of hours or credits, sanctions should be imposed. Training topics shall include, but not limited to, how to effectively monitor student outcomes.

On Interim Charge 10A, related to providing school districts the ability to be designated as a district of innovation, the interim report thoroughly lays out the procedures for districts to designate themselves as districts of innovation. However, the report does not mention the important discussion that took place at the September 14th hearing regarding whether the innovations are "true innovations" or merely a means for an ISD to avoid certain regulations and oversight from TEA. For example, class size and certain teacher certification regulations exist to improve the quality of education. Utilizing a statutory loophole to not comply with the regulation is not "innovative" and would likely hamper student outcomes, not improve them. The interim report should recommend that TEA monitor and record the use of innovative districts to determine if an increase in quality or a novel technique has actually occurred.

Finally, on Interim Charge 10F, related to monitoring the use of Individual Graduation Committees (IGCs) to evaluate a student's academic progress beyond successfully passing end-of-course assessments, the statute authorizing IGCs is slated to sunset on September 1, 2017. In considering whether continuing IGCs will be beneficial for students, we recommend the legislature extend the statute's sunset date to at least 2021, which will allow sufficient opportunity to determine the effectiveness of IGCs.

Thank you for your leadership and your staff's diligence and commitment to our state. We look forward to continuing to work with you on these important issues.

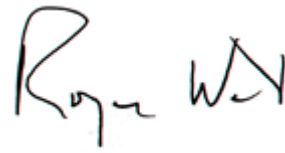
Sincerely,



José Rodríguez  
Senate District 29



Sylvia R. Garcia  
Senate District 6



Royce West  
Senate District 23





## SENATOR PAUL BETTENCOURT

DISTRICT 7

November 7, 2016

Larry Taylor, Chair of the Senate Committee on Education  
Sam Houston Building  
201 E 14th St  
Austin, Texas 78701

**Re: Interim report regarding educator misconduct, statutory authority of the Texas Education Agency to establish an Office of Inspector General**

Dear Chair Taylor:

I commend the significant effort the Senate Committee on Education spent on the issues set forth in its interim report, particularly on educator misconduct and an Office of Inspector General in the Texas Education Agency. The Committee's recommendations seek to build upon what we started last session with my amendment to HB 2250 that granted the Texas Education Agency subpoena authority in investigations regarding educator misconduct. I agree with the Committee's recommendation that TEA needs more tools, and I will be filing legislation relating to this Committee proposal.

The Committee also discussed granting TEA the authority to have an Office of the Inspector General to proactively investigate waste, losses to fraud or worse in Texas government at the state and local level. I believe the Legislature should consider giving TEA statutory authority to better investigate local education agencies across the state. The following agencies already have an OIG within their own offices: Health and Human Services, Texas Juvenile Justice Dept., Texas Dept. of Criminal Justice, and the Texas Dept. of Public Safety. TEA Commissioner Mike Morath agreed in testimony that TEA is the largest state agency without the statutory basis to create an OIG. He noted this would be a good tool for TEA and that if granted, the agency would be able to leverage existing resources in broad ways. I will file legislation to support granting TEA this statutory authority.

Sincerely,

A handwritten signature in cursive script that reads "Paul Bettencourt".

Sen. Paul Bettencourt, Chairman of the Select Committee on Property Tax Reform and Relief

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DETERMINE A SUFFICIENT BALANCE OF THE ECONOMIC STABILIZATION FUND

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SENATOR PAUL BETTENCOURT  
DISTRICT 7

November 3, 2016

Kel Seliger, Chair of the Senate Committee on Higher Education  
Larry Taylor, Chair of the Senate Committee on Education  
Sam Houston Building  
201 E 14th St  
Austin, Texas 78701

**Re: Interim report regarding dual credit programs**

Dear Chair Seliger and Chair Taylor:

I commend the significant joint effort the Senate committees on Higher Education and Education spent on the issues set forth in their interim report and how dual credit programs have increased in Texas. As shown in the interim report, dual credit enrollment in Texas has increased significantly. A key factor contributing to the rise in the statewide enrollment average was the sizable increase of dual credit enrollment in Harris County due to the passage of SB 1004.

The Harris County community college system saw a 14% baseline dual credit enrollment increase by Spring 2016, twice the national average. Likewise, my office has received data from Lone Star College and national groups like Jobs for the Future and ACT, Inc. that shows tremendous success with the dual credit program and early college high schools in the state of Texas. The facts presented in these studies are proof positive that dual credit programs are having good results in Harris County.

A dual enrollment increase at Houston community colleges to more than 22,000 students from 19,517 in just one year is a telling fact of the demand for these programs across the greater Houston area. This is part of the exceptional growth documented in 2015 by the Texas Higher Education Coordinating Board in its dual credit update. All the data I've seen shows that increasing dual credit opportunities for families effectively appears to be a success.

Sincerely,

A handwritten signature in cursive script that reads "Paul Bettencourt".

Sen. Paul Bettencourt, Chairman of the Select Committee on Property Tax Reform and Relief

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