



The Texas Education Agency Briefing Book on Public Education Legislation

87th Texas Legislature, Regular Session

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House Bill 4545

Relating to the assessment of public school students, the establishment of a strong foundations grant program, and providing accelerated instruction for students who fail to achieve satisfactory performance on certain assessment instruments.

Author: Representative Harold Dutton

Sponsor: Senator Larry Taylor



Bill Summary:

[House Bill 4545](#) (HB 4545) establishes new requirements for accelerated instruction for students beginning with the 2021-2022 school year who do not pass the most recent administration of State of Texas Assessments of Academic Readiness (STAAR®). HB 4545 applies to all students attending Texas public school districts and open-enrollment charter schools. At a high level, the legislation includes:

- Elimination of grade retention and retesting requirements in grades five and eight;
- For any student who does not pass the STAAR test in grade three, five, or eight in math or reading, a new local education agency (LEA) requirement to establish an accelerated learning committee to develop an individual educational plan for the student and monitor the student's progress;
- For any student who does not pass the STAAR test in grades three through eight or STAAR end-of-course (EOC) assessments, clarification of prior accelerated instruction requirements, specifying that it must include either:
 - Being assigned a classroom teacher who is a certified master, exemplary, or recognized teacher; or
 - Receiving supplemental instruction (tutoring) before or after school, embedded in the school day, or in the summer.

In accordance with HB 4545, students cannot be removed from instruction in grade level content for the foundation curriculum, instruction in enrichment curriculum for the grade in which the student is enrolled, or recess or physical activity that is available to other students enrolled in the same grade.

HB 4545 also creates the Strong Foundation Grant Program to provide funding both for accelerated instruction and for initial elementary instruction. The commissioner must adopt components that program participants must implement under the program including the use of high-quality instructional materials, curricula, and curricular tools; aligned professional supports; and a measure of the fidelity of implementation of the program.

Impact of Legislation

Effective Date:

- June 16, 2021

Rulemaking:

- Commissioner of Education rules related to advanced and accelerated instruction will be amended to reflect the changes made by this bill.

Other Actions Required:

- The TEA released [To the Administrator Addressed](#) correspondence regarding HB 4545 on June 25, 2021.
- The TEA will be providing additional support and guidance for LEAs including a [Frequently Asked Questions](#) document that will be continually updated, a series of webinars over the summer to share more detailed guidance, and best practices resources.

House Bill 773

Relating to indicators of achievement under the public school accountability system.

Author: Representative Gary VanDeaver
Sponsor: Senator Beverly Powell



Bill Summary:

[House Bill 773](#) (HB 773) adds students who successfully completed a program of study in career and technical education to the list of indicators that can be used to evaluate the performance of high school campuses, districts, and open-enrollment charter schools. HB 773 applies beginning with the 2021-2022 school year.

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Impact of Legislation

Effective Date:

- May 28, 2021

Rulemaking:

- Commissioner of Education rules will be amended to revise accountability calculations and methodologies. This will occur during the agency’s annual updates of the [accountability manual](#).

Other Actions Required:

- No additional TEA actions are required to implement this bill.

House Bill 1147

Relating to military readiness for purposes of the indicators of achievement under the public school accountability system and the college, career, or military readiness outcomes bonus under the Foundation School Program.

Author: Representative Dan Huberty

Sponsor: Senator Larry Taylor



Bill Summary:

[House Bill 1147](#) (HB 1147) adds enlistment in the Texas National Guard as an indicator of military readiness for the purposes of evaluating the performance of high school campuses, districts, and open-enrollment charter schools and for the college, career, or military readiness outcomes bonus. Under previous law, an annual graduate demonstrated military readiness if the graduate achieved a passing score set by the applicable military branch on the Armed Services Vocational Aptitude Battery and during a time period established by Commissioner of Education rule, enlisted in the armed forces of the United States. Under HB 1147, this provision now includes enlistment in the Texas National Guard to the military readiness indicator evaluated for accountability and college, career, or military readiness outcomes bonus.

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Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- Commissioner of Education rules will be amended to revise accountability methodologies. This will occur during the agency’s annual updates of the [accountability manual](#). The commissioner of Education rules regarding college, career, or military readiness outcomes bonus will also be amended to reflect the changes made by this bill.

Other Actions Required:

- TEA will obtain enlistment data from the Texas National Guard.

Senate Bill 879

Relating to the qualifications for designation as a dropout recovery school.

Author: Senator Eddie Lucio
 Sponsor: Representative Harold Dutton



Bill Summary:

[Senate Bill 879](#) (SB 879) establishes that any campus registered under alternative academic accountability serving at least 60 percent (previously 50 percent) of students aged 16 or above (previously aged 17 or above), is designated as a dropout recovery school. SB 879 also allows the commissioner to adopt an application process by which a campus may apply for a dropout recovery school designation.

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Impact of Legislation

Effective Date:

- May 24, 2021

Rulemaking:

- Commissioner of Education rules related to accountability will be amended to reflect the changes by this bill. These changes will occur during the annual adoption of the accountability manual.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

Senate Bill 1365

Relating to public school organization, accountability, and fiscal management.

Author: Senator Paul Bettencourt
 Sponsor: Representative Dan Huberty



Bill Summary:

[Senate Bill 1365](#) (SB 1365) formalizes the intervention for *D* rated campuses and improves procedural clarity when special investigations into school systems are needed. The bill also includes modification of campus turnaround plans and changes at what point the commissioner shall appoint a board of managers or order a campus closed from three consecutive years of unacceptable performance ratings after a campus turnaround plan is ordered to five consecutive years of unacceptable performance.

Additional notable changes within SB 1365 include (non-exhaustive list):

- Permits the commissioner to assign a “Not Rated” designation to a district or campus under certain conditions, including if the district or campus is subject to a disaster declaration;
- Authorizes the commissioner to delegate ministerial and executive functions;
- Requires the commissioner to adopt rules to develop and implement alternative methods and standards for evaluating the performance of overall *D* or *F* for the 2020-2021 school year;
- Allows the commissioner to assign a “Not Rated” label if the number of students enrolled in the district or campus is insufficient to accurately evaluate the performance of the district or campus;
- Requires that the number of consecutive years of unacceptable performance be reported;
- Clarifies when a rating of overall *D* constitutes an acceptable rating;
- Requires the commissioner to issue a “Not Rated” accountability status in 2021-2022 if after reviewing the district or campus data the district or campus would receive an overall *D* or *F*;
- Expands which commissioner decisions are final and unappealable;
- Clarifies how *D* and *F* ratings for an accountability domain factor into an overall performance rating; and
- Authorizes the commissioner to allow modifications to an approved campus turnaround plan.

Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- New Commissioner of Education rules to evaluate school and district performance will be adopted to reflect the changes made by this bill.
- Commissioner of Education rules related to alternative methods of evaluating campus performance, local improvement plans, and training requirements will be amended to reflect the changes made by this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

House Bill 3261

Relating to the electronic administration of certain required assessment instruments, measures to support Internet connectivity for purposes of those assessment instruments, the adoption and administration of certain optional interim assessment instruments, the review and use of the instructional materials and technology allotment, and requests for production of instructional materials.

Author: Representative Dan Huberty

Sponsor: Senator Larry Taylor



Bill Summary:

[House Bill 3261](#) (HB 3261) expands the allowable use of the technology and instructional materials allotment (TIMA) for local education agencies, creates a matching grant program to ensure support for online administrations, adjusts the assessments required to be administered online by school year 2022-2023, and removes the expiration date for the transition to online assessments. The bill provides flexibility regarding testing on the first day of the instructional week and the 75 percent cap for multiple-choice format. HB 3261 also makes changes to the way the State Board of Education (SBOE) calls for instructional materials in a given biennium.

HB 3261 adds to the allowable uses of TIMA funds to include the purchase of services, equipment, and technology infrastructure necessary to ensure Internet connectivity and adequate bandwidth as well as training personnel in the electronic administration of assessment instruments. Every biennium, the commissioner must assess the technology needs for all school districts and provide an estimate of the cost for these resources to the SBOE. HB 3261 requires the SBOE, in determining the disbursement of money to the available school fund and the amount of that disbursement that will be used to fund the TIMA, to consider the cost of all district technology requirements, as reported by the commissioner, and instructional materials for that state fiscal biennium. The SBOE is permitted to only issue proclamations for instructional materials in which the total projected cost of instructional materials under the proclamations does not exceed 75 percent of the total amount used to fund the TIMA for that biennium.

HB 3261 allows the commissioner to establish a matching grant program to ensure that all districts and open-enrollment charter schools have the necessary infrastructure to administer assessment instruments electronically. The commissioner may set eligibility criteria to receive a matching grant and to contract with technology developers as necessary to ensure the most efficient and cost-effective implementation of internet connectivity infrastructure. In awarding grants under the grant program, the commissioner must prioritize applicants seeking funding for one-time investments in broadband network infrastructure. If funds are available after grants are awarded to each eligible applicant for the one-time investments, the commissioner may award grants to applicants seeking funding for annual bandwidth and personnel costs associated with electronic administration of assessment instruments. The provisions related to this grant expire September 1, 2025.

Each assessment for grades 3-8, end of course, and grades 3-5 Spanish must be administered electronically, unless otherwise provided by commissioner rule. These assessments must be included in the TEA's transition plan to administer assessments electronically. The TEA may recommend, but not require, that a school district make external keyboards available for student use with tablet devices for the electronic administration of an assessment instrument, including any portion of an assessment instrument that contains constructed response or essay items.

Impact of Legislation

Effective Date:

- June 18, 2021

Rulemaking:

- Permissive rulemaking authority is granted to establish exceptions to online assessments.

Other Actions Required:

- No additional TEA actions are required to implement this bill.
- The bill allows but does not require the commissioner to establish a matching grant program which expires September 1, 2025.

House Bill 699

Relating to public school attendance requirements for students diagnosed with or undergoing related treatment for severe or life-threatening illnesses.

Author: Representative Jon Rosenthal

Sponsor: Senator Judith Zaffirini



Bill Summary:

[House Bill 699](#) (HB 699) cited as “Riley’s Rule,” requires school districts to excuse an absence and waive promotion requirements for students who are diagnosed with severe or life-threatening illnesses or are undergoing related treatments. A student or student’s parent or guardian must provide a certification from a physician specifying the student’s illness and the anticipated period of the student’s absence as it relates to the illness or treatment.

HB 699 also amends [Section 25.0915](#) of the Texas Education Code related to truancy prevention measures. A school district must offer additional counseling to a student and may not refer the student to truancy court if a student’s truancy is determined to be the result of a severe or life-threatening illness or related treatment. A student’s excused absences under Riley’s Rule may not be considered in determining whether the student satisfies the requirement of attendance for at least 90 percent of the days class is offered in order to be awarded a final grade or credit for a class. The changes under HB 699 apply beginning with the 2021-2022 school year. Additionally, this bill does not apply to open-enrollment charter schools.

Impact of Legislation

Effective Date:

- June 7, 2021

Rulemaking:

- SBOE rules related to student attendance will be amended to reflect the changes made by this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

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Senate Bill 289

Relating to excused absences from public school for certain students to obtain a driver's license or learner license.

Author: Senator Kel Seliger

Sponsor: Representative Gary VanDeaver



Bill Summary:

[Senate Bill 289](#) (SB 289) allows a student who is at least 15 an excused absence from school to obtain a learner's permit or a driver's license. The Act applies with the beginning of the 2021-2022 school year.

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Impact of Legislation

Effective Date:

- June 14, 2021

Rulemaking:

- The State Board of Education rules related to student attendance will be amended to reflect the changes made by this bill.
- The TEA Student Attendance Accounting Handbook will be amended to reflect the changes made by this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

Senate Bill 560

Relating to developing a strategic plan for the improvement and expansion of high-quality bilingual education.

Author: Senator Eddie Lucio

Sponsor: Representative Bobby Guerra



Bill Summary:

[Senate Bill 560](#) (SB 560) requires the TEA to develop a strategic plan to improve and expand bilingual education. The bill requires that TEA work in collaboration with the Texas Higher Education Coordinating Board (THECB) and the Texas Workforce Commission (TWC) on the strategic plan and set goals and timelines to:

- Increase the number of educators certified in bilingual education instruction;
- Increase the number of dual language immersion/one-way and two-way program models used in public schools;
- Educate families and school district employees regarding the importance of bilingual education in early childhood;
- Adopt a uniform process for identifying students of limited English proficiency, monitoring the bilingual learning of students, and collecting data regarding the identification and monitoring; and
- Increase the number of bilingual and multilingual high school graduates.

SB 560 further requires the TEA, when developing the strategic plan, to study the use of the Bilingual Target Language Proficiency Test (BTLPT) to certify educators in bilingual education instruction and determine the impact of using the test to assess the critical competencies necessary to instruct bilingual programs at each grade level and if any barriers to certification of bilingual educators exist based on differences between the dialect of the educator and the dialect used on the test. The agency must also make recommendations to modify or revise the assessments used to certify educators in bilingual education instruction to enhance the competency of educators serving bilingual programs. The TEA must submit the strategic plan to the legislature no later than December 1, 2022.

Impact of Legislation

Effective Date:

- June 16, 2021

Rulemaking:

- If the BTLPT study determines that the bilingual education certification exams must be changed or modified, this may require State Board for Educator Certification rulemaking in the future.

Other Actions Required:

- SB 560 requires the development of a strategic plan to improve and expand bilingual education. The bill also requires a study on the impact of the BTLPT certification exam on bilingual educators.

Senate Bill 2066

Relating to emergent bilingual students in public schools.

Author: Senator José Menéndez
Sponsor: Representative Harold Dutton



Bill Summary:

[Senate Bill 2066](#) (SB 2066) replaces the terminology “limited English proficiency” and “English learners” with “emergent bilingual” throughout the Texas Education Code. Any existing rules, materials, or publications will require conforming amendments. Additionally, “emergent bilingual” will be used in all new rules, materials, and publications.

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Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- Commissioner of Education, State Board of Education, and State Board for Educator Certification rules that contain the terminology “limited English proficiency” will need to be replaced with “emergent bilingual.”

Other Actions Required:

- All current and future publications and data standards will need to be amended to reflect the terminology of “emergent bilingual” rather than “limited English proficiency.”

House Bill 636

Relating to the continuation and functions of the Texas State Board of Plumbing Examiners; authorizing a fee.

Author: Representative Senfronia Thompson
 Sponsor: Senator John Whitmire



Bill Summary:

[House Bill 636](#) (HB 636) amends Texas Occupations Code relating to the continuation and functions of the Texas State Board of Plumbing Examiners. As it pertains to public education, Section 14 of HB 636 allows a student of any age who has completed a Career and Technical Education (CTE) plumbing program to be eligible to register and take the examination for the Tradesman plumber-limited license and waives the apprentice requirements and required fees. The bill requires the Texas State Board of Plumbing Examiners to develop courses and requires the State Board of Education (SBOE) to approve the CTE courses if they are to be offered at a high school. In addition, HB 636 requires the teacher (fulltime, part-time, or volunteer) of the CTE courses to be licensed as a master plumber, journeyman plumber, or plumbing inspector and waives the required fee for the teacher’s annual license renewal.

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Impact of Legislation

Effective Date:

- May 26, 2021

Rulemaking:

- The SBOE will approve the plumbing related courses required by this bill.
- The State Board for Educator Certification will amend rules related to individuals permitted to provide instruction in a plumbing CTE program to reflect the changes made by this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

House Bill 3938

Relating to the establishment of the industry-based certification advisory council and the transfer of certain duties to that advisory council.

Author: Representative Keith Bell
 Sponsor: Senator Beverly Powell



Bill Summary:

[House Bill 3938](#) (HB 3938) creates an Industry-Based Certification Advisory Council (“council”). The council is established to advise the Texas Workforce Commission (TWC) to better align industry-based credentials and certificates for high school Career and Technical Education (CTE) students to current and future workforce needs. The council will oversee the development and maintenance of an inventory of applicable credentials and certificates and make that list available to stakeholders, including the TEA and local education agencies.

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Impact of Legislation

Effective Date:

- June 15, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

House Bill 189

Relating to a severance payment to a superintendent or administrator serving as educational leader and chief executive officer of an open-enrollment charter school.

Author: Representative Terry Canales

Sponsor: Senator Eddie Lucio



Bill Summary:

[House Bill 189](#) (HB 189) requires the governing body of an open-enrollment charter school to report the terms of a severance paid to a superintendent or the administrator serving as educational leader and chief executive officer of the school in the same manner a school district shall report such terms to the commissioner as set forth in [Section 11.201\(c\)](#) of the Texas Education Code. These changes apply only to severance payments as described in the legislation made after June 4, 2021. Charter schools will need to update their policies and/or practices to ensure compliance with this new requirement.

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Impact of Legislation

Effective Date:

- June 4, 2021

Rulemaking:

- Commissioner of Education rules related to accounting for state and federal funds will be amended to reflect the changes made by this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

House Bill 3610

Relating to the applicability of certain laws to certain public schools and certain requirements of a charter school that receives certain tax exemptions.

Author: Representative Barbara Gervin-Hawkins
Sponsor: Senator Drew Springer



Bill Summary:

[House Bill 3610](#) (HB 3610) amends to the Texas Education Code to consider a charter school a political subdivision in certain circumstances related to purchasing, leasing, constructing, renovating, or improving property. Specifically, a charter school is exempt from ad valorem taxes for property purchased or leased with state funding.

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Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

Senate Bill 346

Relating to the participation of open-enrollment charter schools in the Jobs and Education for Texans (JET) Grant Program.

Author: Senator Angela Paxton

Sponsor: Representative Harold Dutton



Bill Summary:

[Senate Bill 346](#) (SB 346) makes open-enrollment charter schools eligible to participate in the Jobs and Education for Texans (JET) grant program administered by the Texas Workforce Commission (TWC), following the same requirements applicable to school districts that participate in the program. Grants are intended to defray the start-up costs associated with developing new career and technical education programs, including to offer specific courses; to finance the cost of course or program development, such as facility renovation, equipment purchases, and other expenses; and to finance a course or program that leads to a license, certificate, or post-secondary degree. Recipients must provide matching funds. School districts and charter schools must enter into a partnership with a public junior college, technical institute, or state college to promote career and technical education to the district's students and to offer dual credit courses.

Impact of Legislation

Effective Date:

- May 24, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

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Senate Bill 1615

Relating to the adult high school charter school program.

Author: Senator Paul Bettencourt

Sponsor: Representative Gary VanDeaver



Bill Summary:

[Senate Bill 1615](#) (SB 1615) transfers, redesignates, and amends sections within the Texas Education Code related to the adult high school charter school program. SB 1615 sets forth that the purpose of the program is to meet industry needs for a sufficiently trained workforce within the state and to strengthen the economic and educational prosperity of the state.

The bill establishes a seven-member advisory committee to make recommendations to the commissioner regarding an assessment tool and accountability framework for adult charter schools. The commissioner must adopt a separate accountability framework for an adult education program located in a correctional facility which must include performance measures as specified in the bill. The commissioner, in cooperation with the advisory committee, will review and revise each accountability framework as necessary at least once every three years.

SB 1615 modifies the funding methodology for charters operating under the program to provide for funding through the Foundation School Program (FSP) and not by appropriation for participants aged 26 or older. The bill also provides conditions for the commissioner to revoke a charter under the program.

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Impact of Legislation

Effective Date:

- May 31, 2021

Rulemaking:

- New Commissioner of Education rules related to the adult high school charter school program will be adopted and existing Commissioner of Education rules will be amended to reflect the changes made by this bill.

Other Actions Required:

- The TEA is required to administratively support the advisory committee established by this bill.
- The TEA will begin collecting data on course credit, the percent of time a student is enrolled in the adult education program and industry based certifications earned within six months after completing the adult education program.

Senate Bill 1351

Relating to the donation of food by public school campuses.

Author: Senator Borris Miles

Sponsor: Representative Alma Allen



Bill Summary:

[Senate Bill 1351](#) (SB 1351) allows a campus to elect to donate food to a nonprofit organization through a person who is directly and officially affiliated with the campus, including a teacher or counselor, or through a parent of a student enrolled at the campus. SB 1351 authorizes that surplus food donated by a school may include:

- packaged unserved food that is packaged on the campus of a school district or open-enrollment charter school and has not been removed from the campus cafeteria, rather than packaged or unpackaged unserved food;
- packaged served food if the packaging and food are in good condition, rather than if the packaging is in good condition;
- whole, uncut produce; and
- wrapped raw unserved produce, rather than wrapped raw produce.

The bill limits the donation of raw produce to unserved raw produce, and unpeeled fruit originating from the campus that is required to be peeled before consumption may no longer be donated. SB 1351 provides that food that must by law be maintained at a certain temperature, may not be donated unless the campus maintained the required temperature.

Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

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Senate Bill 1095

Relating to notice regarding the availability to public school students of college credit and work-based education programs and subsidies for fees paid to take certain advanced placement tests.

Author: Senator Brandon Creighton

Sponsor: Representative Harold Dutton



Bill Summary:

[Senate Bill 1095](#) (SB 1095) creates additional notification requirements for school districts related to the availability of college credit and work-based programs. School districts must notify parents of enrolled high school students on the availability of college credit opportunities, such as advanced placement, dual credit, joint high school and college credit programs, and international baccalaureate (IB) programs. SB 1095 requires districts to include in these notifications the availability of, and qualifications to enroll in career and technology education (CTE) and work-based education programs including any internship, externship, apprenticeship, and P-TECH program. Districts are also required to notify parents on the availability of advanced placement (AP) and IB exam subsidies based on financial need. SB 1095 applies with the beginning of the 2021-2022 school year.

Impact of Legislation

Effective Date:

- June 14, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

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Senate Bill 1277

Relating to an agreement between a school district and public institution of higher education to provide a dual credit program to high school students enrolled in the district.

Author: Senator Royce West

Sponsor: Representative John Turner



Bill Summary:

[Senate Bill 1277](#) (SB 1277) adds a new element to be included in a district-institute of higher education (IHE) memorandum of understanding (MOU) or articulation agreement on a dual credit course program. MOUs or articulation agreements must now designate at least one employee of the district or IHE as responsible for providing academic advising to a student who enrolls in a dual credit course before the student begins the course. The provisions of SB 1277 apply to a district-IHE dual credit agreement created or renewed on or after September 1, 2021.

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Impact of Legislation

Effective Date:

- May 30, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

Senate Bill 1888

Relating to the establishment of certain programs to facilitate early high school graduation and enrollment at public institutions of higher education and to the repeal of the Early High School Graduation Scholarship program.

Author: Senator Brandon Creighton

Sponsor: Representative Tan Parker



Bill Summary:

[Senate Bill 1888](#) (SB 1888) requires the TEA to establish an early high school completion program and, in conjunction with the Texas Higher Education Coordinating Board (THECB), a scholarship program to promote efficiency in the state public education system and incentivize the enrollment of high performing students at eligible institutions of higher education.

SB 1888 directs the TEA, in coordination with the THECB, to establish the Texas First Early High School Completion Program to allow public high school students who demonstrate early readiness for college to graduate early from high school. The THECB, in consultation with the TEA and eligible institutions, by rule will establish standards for the program. Furthermore, the THECB will establish assessments or other means that are equivalent to the assessments, or other means eligible institutions commonly use to place students at the institutions in courses that may be credited toward a degree requirement.

SB 1888 establishes the Texas First Scholarship Program to promote efficiency in the state public education system and incentivize the enrollment of high performing students at eligible institutions. To be eligible for an award under the program a student must:

- Be a resident of the state as determined by THECB rules;
- Have graduated early from high school under the Texas First Early High School Completion Program; and
- Comply with the requirement that a student must complete a financial aid application as a condition of graduation.

SB 1888 requires the commissioner of education to count each student who graduates early from high school under this program towards the district or open-enrollment charter's average daily attendance for the period in which the student is enrolled at an eligible higher education institution using state credit awarded under the Texas First Scholarship Program based on a 100 percent attendance rate. The commissioner of education shall reduce the amount of a school district's or open-enrollment charter school's entitlement for the school year by an amount equal to the total amount of state credit issued during the preceding school year to the district's or charter school's high school graduates under the Texas First Scholarship Program.

At least once each year, the THECB will submit a report on state credit awarded under the program to the commissioner. As soon as practicable after the receiving the report, the commissioner will transfer funds to the THECB equal to the total amount by which the school district and open-enrollment school entitlements are reduced.

School districts and charter schools shall provide information to a student and the student's parent or guardian upon initial enrollment in high school in a grade level below grade 12 regarding the requirements to earn a high school diploma

Impact of Legislation

Effective Date:

- June 18, 2021

Rulemaking:

- The THECB must consult with the TEA when adopting rules to implement the program created by this bill.

Other Actions Required:

- The TEA will develop resources with information regarding the requirements to earn a high school diploma under the Texas First Early High School Completion Program and the Texas First Scholarship Program.

Senate Bill 1888

Relating to the establishment of certain programs to facilitate early high school graduation and enrollment at public institutions of higher education and to the repeal of the Early High School Graduation Scholarship program.

Author: Senator Brandon Creighton

Sponsor: Representative Tan Parker



under the Texas First Early High School Completion Program and the Texas First Scholarship Program. Both the TEA and THECB will post on their agency website a publication that includes information required to be provided to student and student’s parent or guardian in a form that enables a school district or open-enrollment charter to reproduce publication for distribution.

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House Bill 1476

Relating to a vendor’s remedies for nonpayment of a contract with this state or a political subdivision of this state.

Author: Representative Keith Bell
 Sponsor: Senator Robert Nichols



Bill Summary:

[House Bill 1476](#) (HB 1476) clarifies requirements and limitations placed on governmental entities when an amount invoiced by a vendor is in dispute. Specifically, a governmental entity must provide a detailed statement of the amount in dispute. Additionally, HB 1476 limits the amount that a governmental entity can withhold from required payments to 110% of the disputed amount. This bill applies to school districts but does not apply to charter schools.

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Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

House Bill 2581

Relating to civil works projects and other construction projects of governmental entities.

Author: Representative Kyle Kacal
 Sponsor: Senator Kelly Hancock



Bill Summary:

[House Bill 2581](#) (HB 2581) amends statutes related to contracting and procurement processes for civil works and other construction projects for government entities, including school districts. The bill allows for prequalification of bidders on construction projects and makes additional conforming changes to government contracting construction. The provisions of HB 2581 apply to solicitations on or after September 1, 2021. This bill applies to school districts but does not apply to charter schools.

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Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.
- School districts may have to amend local policies to comply with this bill.

House Bill 3583

Relating to energy savings performance contracts.

Author: Representative Chris Paddie
 Sponsor: Senator Juan “Chuy” Hinojosa



Bill Summary:

[House Bill 3583](#) (HB 3583) amends the Local Government Code to provide that the scope of an energy savings performance contract may not be modified, including by a change order or contract addendum, or other method to perform work that is not related to, connect with, or otherwise ancillary to the measures identified in the original scope of an energy saving performance contact or in a way that increases the price of the original awarded contract by more than 25 percent. The provisions of HB 3583 apply to state agencies, school districts, public higher education institutions, and local government entities but do not apply to charter schools.

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Impact of Legislation

Effective Date:

- June 14, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

Senate Bill 338

Relating to the adoption of uniform general conditions for building construction contracts entered into by school districts and the composition of the committee that reviews uniform general conditions.

Author: Senator Beverly Powell

Sponsor: Representative Eddie Lucio III



Bill Summary:

[Senate Bill 338](#) (SB 338) amends Chapter 44 of the Texas Education Code to authorize a public school district, after reviewing the uniform general conditions adopted by the Texas Facilities Commission (TFC) for incorporation into state building construction contracts, to adopt uniform general conditions to be incorporated in all the district’s building construction contracts. The bill also amends the Government Code to include one individual representing the Texas Association of School Boards (TASB) and one individual representing the Texas Association of School Administrators (TASA) among the members of the committee appointed by the TFC to perform the required periodic review of the TFC uniform general conditions. The provisions of SB 338 apply to public school districts but do not apply to charter schools.

Impact of Legislation

Effective Date:

- June 7, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

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Senate Bill 179

Relating to the use of public school counselors' work time.

Author: Senator Eddie Lucio

Sponsor: Representative Dan Huberty



Bill Summary:

[Senate Bill 179](#) (SB 179) requires school districts to adopt a policy that allocates specific portions of a school counselor's work time (80 percent) to duties that are part of a counseling program which include guidance curriculum, responsive services, individual planning, and system support. If a school board determines it would be unable to comply with the 80 percent requirement for counselors due to staffing needs, their adopted policy must list the reasons why the counselor needs to spend less than 80 percent of their time on counseling duties, list the duties the counselor is expected to perform that are not components of the counseling program, and set the percentage of work time that the counselor is required to spend on components of the counseling program.

SB 179 prohibits a district from including in its employment contract with a counselor any provision that conflicts with the work time percentage requirement or that requires a counselor to generally perform duties that are not related to counseling, unless the excepted duties are listed as part of the documented local policy.

SB 179 also gives monitoring authority to the TEA to assess implementation of this act. Each school district must annually assess the district's compliance with the adopted policy and, on request by the commissioner, provide a written copy of the assessment to the TEA. Districts must implement a counselor duties policy beginning with the 2021-2022 school year.

Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- Commissioner of Education rules related to the annual assessment of a district's compliance with the counselor worktime policy will be adopted to reflect the changes made by this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

[This space intentionally left blank]

House Bill 999

Relating to the use of individual graduation committees for certain high school students.

Author: Representative Diego Bernal
 Sponsor: Senator José Menéndez



Bill Summary:

[House Bill 999](#) (HB 999) amends the state law related to individual graduation committees (IGCs) for seniors in the 2020-2021 school year in response to the COVID-19 Pandemic. HB 999 establishes that students in grade 12 in the 2020-2021 school year are eligible to graduate via an individual graduation committee decision regardless of the number of end-of-course exams on which a student has failed to perform satisfactorily. Additionally, the bill states that, when determining if a student is qualified to graduate, an IGC is not required to consider student performance on end-of-course exam(s), including those the student failed.

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Impact of Legislation

Effective Date:

- May 31, 2021

Rulemaking:

- Commissioner of Education rules related to individual graduation committees will be amended to reflect the changes made by this bill.

Other Actions Required:

- The TEA released [To the Administrator Addressed](#) correspondence regarding HB 999 on June 2, 2021.

Senate Bill 6

Relating to liability for certain claims arising during a pandemic or other disaster related to a pandemic.

Author: Senator Kelly Hancock

Sponsor: Representative Jeff Leach



Bill Summary:

[Senate Bill 6](#) (SB 6) affects liability issues related to actions taken during a pandemic, including immunity for public schools, for changes made to programs and other activities as a result of a pandemic. The bill also creates immunity from damages, including equitable monetary relief, for public schools arising out of the cancellation, modification of a course, program or activity of the institution if the cancellation or modification arose during a pandemic.

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Impact of Legislation

Effective Date:

- June 14, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

Senate Bill 40

Relating to the provision of telehealth services by certain health professionals licensed by the Texas Department of Licensing and Regulation.

Author: Senator Judith Zaffirini
 Sponsor: Representative Four Price



Bill Summary:

[Senate Bill 40](#) (SB 40) amends language in the Occupations Code related to telehealth services by certain health professionals licensed by the Texas Department of Licensing and Regulation (TDLR). The bill defines patient, health professional, and telehealth service and provides remote supervision for telehealth providers. As it pertains to public schools, SB 40 authorizes rules adopted by TDLR in accordance with this legislation to allow for the provision of remote education or distance learning for public and private schools. Additionally, SB 40 authorizes a licensed dyslexia practitioner to practice in, or provide telehealth services to a school, learning center, clinic, or private practice setting.

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Impact of Legislation

Effective Date:

- June 3, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

Senate Bill 239

Relating to the provision of educational materials regarding disease prevention during a disaster.

Author: Senator Beverly Powell
 Sponsor: Representative Nicole Collier



Bill Summary:

[Senate Bill 239](#) (SB 239) requires the Department of State Health Services to develop and disseminate educational materials to public schools and other youth-related organizations during a declared state of disaster or local state of disaster. The educational materials must include the most recent immunization schedules by age as recommended by the Centers for Disease Control and Prevention, and locations (if any) of local health care providers that offer immunizations.

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Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

Senate Bill 462

Relating to funding under the transportation allotment for transporting meals and instructional materials to students during a declared disaster.

Author: Senator Eddie Lucio

Sponsor: Representative Alma Allen



Bill Summary:

[Senate Bill 462](#) (SB 462) amends the transportation allotment to provide funding for transporting meals and instructional materials to a student’s residence or to another location designated by the district for pick up by the student. School districts and charter schools may be reimbursed on a per-mile basis for the cost of transporting meals or instructional materials. Schools will be required to track and report to the TEA the mileage associated with transporting meals and instructional materials to a student’s residence or another location in the district in order to be reimbursed. The provisions of SB 462 apply only for the duration of a declared disaster.

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Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- The TEA released [To the Administrator Addressed](#) correspondence regarding SB 462 on July 1, 2021.

Senate Bill 1697

Relating to allowing parents and guardians to elect for a student to repeat or retake a course or grade.

Author: Senator Angela Paxton
 Sponsor: Representative Ken King



Bill Summary:

[Senate Bill 1697](#) (SB 1697) permits a parent or guardian to elect for a student to repeat or retake a course or grade in certain circumstances. A parent or guardian may elect for their student to:

- Repeat prekindergarten;
- Enroll in prekindergarten if the student would have been eligible to enroll in prekindergarten during the previous school year and the student has not yet enrolled in kindergarten;
- Repeat kindergarten;
- Enroll in kindergarten if the student would have been eligible to enroll in kindergarten in the previous school year and has not yet enrolled in first grade; and
- For grades one through three, repeat the grade in which the student was enrolled during the previous school year.

While the grade-retaking provisions of the bill will remain in effect for students in prekindergarten through grade three, the bill’s provisions regarding retaking a grade or course for students in grades four through twelve will expire September 1, 2022. During the 2021-2022 school year only, for grades four through eight, a parent or guardian may elect for a student to repeat the grade the student was enrolled in during the previous school year; or for courses taken for high school credit, repeat any course in which the student was enrolled in during the previous school year.

SB 1697 requires districts and open-enrollment charter schools to form retention committees if they disagree with the decision of the parent or guardian to discuss the merits and concerns of advancement or retention. After a parent or guardian has participated in a retention committee meeting, the parent or guardian shall decide whether their student should be retained or retake a grade or course. The district or charter must abide by the parent or guardian’s decision.

SB 1697 also requires the TEA to study whether students retained under new provisions created by this legislation should be considered to be at-risk. The bill permits the TEA to adopt a rule excluding students retained by a parent or guardian from being considered at-risk of dropping out. Finally, the SB 1697 requires the TEA adopt a rule to allow a grade or course repeated to count for average daily attendance.

Impact of Legislation

Effective Date:

- June 16, 2021

Rulemaking:

- Commissioner of Education rules related to at-risk students will be amended to reflect the changes made by this bill.

Other Actions Required:

- The TEA is required to study whether students retained should be considered at-risk.
- The TEA created two parent-facing webpages: [TEA.Texas.Gov/RepeatGrade](https://tea.texas.gov/RepeatGrade) and [TEA.Texas.Gov/RestartKinder](https://tea.texas.gov/RestartKinder); and created a [Frequently Asked Questions](#) document related to SB 1697.
- The TEA released [To the Administrator Addressed](#) correspondence regarding SB 1697 on July 14, 2021.

Senate Bill 1955

Relating to exempting learning pods from certain local government.

Author: Senator Larry Taylor
 Sponsor: Representative Dustin Burrows



Bill Summary:

[Senate Bill 1955](#) (SB 1955), cited as the “Learning Pod Protection Act,” allows parents to form learning pods and exempts learning pods from various regulations. The bill defines “learning pod” to mean a group of children who, based on the voluntary association of the children’s parents, meet together at various times and places to participate in or enhance the children’s primary or secondary academic studies, including participation in an activity or service provided to the children in exchange for payment.

SB 1955 establishes that, notwithstanding other law, a learning pod is exempt from any ordinance, rule, regulation, policy, or guideline adopted by a local governmental entity that applies to a school district campus or child-care facility, including any requirements regarding staff-to-child ratios, staff certification, background checks, physical accommodations, or building or fire codes. This bill also establishes that any group, building, or facility associated with or used by a learning pod is exempt from any ordinance, rule, regulation, policy, or guideline adopted by a local governmental entity that would not apply to the group, building, or facility if it was not associated with or used by a learning pod.

SB 1955 prohibits an employee, contractor, or agent of a school district or other local governmental entity from initiating or conducting a site inspection of, investigation of, or visit to a location in which a learning pod meets if the district or entity would not have initiated or conducted the inspection, investigation, or visit if the learning pod did not meet at that location. The bill also prohibits a school district from taking action against, denying any benefit to, discriminating in any manner against, or otherwise distinguishing any child or child’s parent on the basis of the child’s participation in a learning pod.

A school district or other local governmental entity is prohibited from requiring a learning pod to be registered with the district or entity or requiring a person participating in a learning pod to report to the district or entity information regarding the learning pod’s existence or operation. The bill establishes that this provision may not be construed to alter or affect a parent’s right to choose a home-school setting for their child or the regulation of a child-care facility.

Impact of Legislation

Effective Date:

- June 8, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

House Bill 2681

Relating to public school elective courses providing academic study of the Bible offered to certain students.

Author: Representative Terry Wilson

Sponsor: Senator Dawn Buckingham



Bill Summary:

[House Bill 2681](#) (HB 2681) amends the beginning grade level for Hebrew Scriptures (Old Testament) and New Testament elective courses from grade nine to grade six and adjusts teacher certification requirements accordingly. HB 2681 requires a teacher of the Hebrew Scriptures and New Testament courses to hold a certificate in language arts, social studies, or history that qualifies the teacher to teach at the grade level at which the course is offered.

The State Board of Education (SBOE) is only required to implement this legislation if the legislature appropriates money specifically for this purpose. If the legislature does not appropriate money specifically for that purpose, the SBOE is permitted but not required to implement the new requirements using other appropriations available for the purpose.

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Impact of Legislation

Effective Date:

- June 15, 2021

Rulemaking:

- The SBOE will amend rules related to elective courses in the Old and New Testament to reflect the changes made by this bill.
- The State Board for Educator Certification will amend rules related to teacher certification requirements for the Hebrew Scriptures (Old Testament) and New Testament elective courses from high school composite certifications to include comparable middle school certifications.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

House Bill 3489

Relating to development of guidelines for the use of digital devices in public schools and a school district or open-enrollment charter school policy for the effective integration of those devices.

Author: Representative Tan Parker

Sponsor: Senator Larry Taylor



Bill Summary:

[House Bill 3489](#) (HB 3489) requires the TEA to develop model health and safety guidelines that school districts and charter schools are permitted to use to determine best practices for the effective integration of digital devices in public schools beginning with the 2023-2024 school year. These guidelines must be developed in consultation with the Health and Human Services Commission (HHSC) and be based on evidence-based studies and practices, consider the needs of students with intellectual or physical disabilities, and consider the potential costs of implementation and affordable ways to reduce hazards as it pertains to the extended use of digital devices. The guidelines must address:

- Digital devices use for varying age ranges and developmental levels;
- Amount of time a student spends using digital devices in the classroom;
- Appropriate frequency for breaks from the use of digital devices;
- Physical positioning of digital devices in the classroom;
- The use of digital devices to complete homework assignments;
- Recommended total daily screen time usage for students;
- Recommended practices or software to block access to inappropriate content; and
- Recommended teacher training regarding the use of digital devices to ensure implementation of best practices.

HB 3489 requires a local board to adopt a policy for the effective integration of digital devices in the district or school and allows the board of each school district, in adopting the policy, to decide whether to adopt the guidelines developed by the TEA. Furthermore, this legislation permits each school district or open-enrollment charter school that adopts the guidelines to implement them in a manner that best meets the district's or charter school's individual needs and the individual needs of students in the district or school, including students with intellectual or physical disabilities. The bill requires any individual school district or open-enrollment charter school that adopts the guidelines to post the guidelines publicly on the district or charter school's website.

Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- The TEA, in consultation with the HHSC, must create model guidelines for the use of digital devices. The guidelines must be developed and distributed by the 2023-2024 school year.

House Bill 3979

Relating to the social studies curriculum in public schools.

Author: Representative Steve Toth
Sponsor: Senator Brandon Creighton



Bill Summary:

[House Bill 3979](#) (HB 3979) requires the State Board of Education (SBOE) to amend the Texas Essential Knowledge and Skills (TEKS) for social studies to develop each student's civic knowledge and address specific content requirements outlined in the bill. This legislation also requires specific policy, curricular and instructional requirements be met by state agencies, school districts, campuses, open-enrollment charter schools, school administrations, and teachers when providing instruction in the essential knowledge and skills in social studies; applicable courses of Texas, United States, and world history; and government, civic, social studies, or similar subject areas.

HB 3979 specifies that for any social studies course in the required curriculum:

- A teacher may not be compelled to discuss a particular current event or widely debated and currently controversial issue of public policy or social affairs.
- A teacher who chooses to discuss a current event or widely debated and currently controversial issues of public policy or social affairs must, to the best of the teacher's ability, strive to explore the topic from diverse and contending perspectives without giving deference to any one perspective.
- A school district or teacher may not require, make part of a course, or award a grade or course credit, including extra credit for a student's:
 - political activism, lobbying, or efforts to persuade members of the legislative or executive branch at the federal, state, or local level to take specific actions by direct communication; or
 - participation in any internship, practicum, or similar activity involving social or public policy advocacy.
- A teacher, administrator, or other employee of a state agency, district, charter school cannot be required to engage in training, orientation, or therapy that presents any form of race or sex stereotyping or blame on the basis of race or sex.

HB 3979 further specifies that a teacher, administrator or other employee of a state agency, district, charter school cannot require or make part of a course any of the following concepts:

- One race or sex is inherently superior to another race or sex;
- An individual, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously;
- An individual should be discriminated against or receive adverse treatment solely or partly because of his or her race;
- Members of one race or sex cannot and should not attempt to treat others without respect to race or sex;
- An individual's moral character standing, or worth is necessarily determined by the individual's race or sex;
- An individual, by virtue of his or her race or sex, bears responsibility for actions committed in the past by other members of the same race or sex;

Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- The SBOE will amend the social studies TEKS as required by HB 3979 no later than December 31, 2022.

Other Actions Required:

- No additional TEA actions are required to implement this legislation.

House Bill 3979

Relating to the social studies curriculum in public schools.

Author: Representative Steve Toth
Sponsor: Senator Brandon Creighton



- Any individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex;
- Meritocracy or traits such as a hard work ethic are racist or sexist or were created by members of a particular race to oppress members of another race;
- The advent of slavery in the territory that is now the United States constituted the true founding of the United States; or
- With respect to their relationship to American values, slavery and racism are anything other than deviations from, betrayals of, or failures to live up to, the authentic founding principles of the United States, which include liberty and equality.

HB 3979 stipulates that a teacher, administrator or other employee of a state agency, district, charter school cannot require an understanding of *The 1619 Project*. A state agency, school district, or open-enrollment charter school is prohibited from accepting private funding for the purpose of developing, purchasing, or selecting curriculum materials, or providing teacher training or professional development for a course described by this legislation. A school district or open-enrollment charter school is prohibited from implementing, interpreting, or enforcing any rules or student code of conduct in a manner that would result in the punishment of a student for discussing, or have a chilling effect on student discussion of, the concepts described by this legislation.

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House Bill 4509

Relating to instruction on informed patriotism in public schools.

Author: Representative Greg Bonnen

Sponsor: Senator Larry Taylor



Bill Summary:

[House Bill 4509](#) (HB 4509) updates Objective 5 of Texas's mission and objectives of public education to establish that educators must cultivate in students an informed American patriotism which consists of leading students through close study of the founding documents of the United States and Texas. The bill also establishes that this objective's purpose is to increase students' knowledge of the deepest and noblest purposes of the United States and Texas, enhance students' intellectual independence so they become thoughtful, informed citizens who have an appreciation for the fundamental democratic principles of our state and national heritage, and guide students toward understanding and productively functioning in a free enterprise society.

HB 4509 establishes that the State Board of Education (SBOE) and each school district must require the teaching of informed American patriotism in addition to Texas history and the free enterprise system in the adoption of instructional materials for kindergarten through grade 12, including the founding documents of the United States. The bill eliminates the requirement that this be done in the regular subject matter and in reading courses. HB 4509 also amends the term *active citizens* to *informed citizens* and changes the language *basic democratic values* to *fundamental democratic principles*.

HB 4509 requires the SBOE, in adopting Texas Essential Knowledge and Skills (TEKS) for social studies, to adopt TEKS that develop each student's civic knowledge as detailed by the legislation. The bill further establishes that that school districts and open-enrollment charter schools will use the founding documents listed in the bill as part of the instructional materials to provide instruction. The provisions of HB 4509 apply with the beginning of the 2021-2022 school year.

Impact of Legislation

Effective Date:

- June 18, 2021

Rulemaking:

- The SBOE will amend the TEKS for social studies to develop each student's civic knowledge to reflect the changes made by this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

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Senate Bill 123

Relating to instruction in positive character traits and personal skills in public schools.

Author: Senator Nathan Johnson

Sponsor: Representative John Turner



Bill Summary:

[Senate Bill 123](#) (SB 123) adds additional social and emotional learning skills to the established requirements for instruction in positive character traits. Specifically, SB 123 adds personal skills, self-management skills, interpersonal skills, and responsible decision-making skills to the required positive character traits instruction. The provisions of SB 123 apply beginning with the 2022-2023 school year.

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Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- State Board of Education (SBOE) rules related to positive character traits will be amended to reflect the changes made by this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

Senate Bill 801

Relating to the development of an agriculture education program for public elementary schools.

Author: Senator Lois Kolkhorst

Sponsor: Representative Ben Leman



Bill Summary:

[Senate Bill 801](#) (SB 801) requires the TEA, in coordination with the Texas Department of Agriculture (TDA) and nonprofit organizations, to develop an agricultural education program for elementary school students to encourage appreciation for and improve students' understanding of agriculture. The TEA must develop a list of agriculture education programs approved by the agency and the State Board of Education (SBOE) that may be used as part of the curriculum for elementary school students. Programs included on the list must be available at no cost to the school district or open-enrollment charter school.

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Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- The SBOE is required to approve a list of agricultural education programs that may be used as part of the curriculum for elementary school students.

Other Actions Required:

- In addition to the requirement to develop an agriculture education program, the TEA must develop a list of agriculture education programs approved by the agency and the SBOE that are available at no cost to school districts and open-enrollment charter schools.

Senate Bill 1063

Relating to courses in personal financial literacy & economics for high school students in public schools.

Author: Senator Carol Alvarado

Sponsor: Representative Ken King



Bill Summary:

[Senate Bill 1063](#) (SB 1063) adds a one-half credit course in personal financial literacy and economics as an option to meet the one-half credit requirement for economics under the Foundation High School Program. The bill requires that the State Board of Education (SBOE) ensure the curriculum for the personal financial literacy and economics course allocates two-thirds of the instructional time to personal financial literacy and one-third of instructional time to economics. SB 1063 also requires the TEA to develop a list of free, open-source curricula that could be used for the course. The provisions of this bill apply beginning with the 2022-2023 school year.

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Impact of Legislation

Effective Date:

- June 8, 2021

Rulemaking:

- SBOE rules related to graduation requirements will be amended to reflect the changes made by this bill.
- State Board for Educator Certification (SBEC) rules related to requirements for public school personnel assignments will be amended to reflect the changes made by this bill.
- The SBOE will adopt Texas Essential Knowledge and Skills (TEKS) for the new personal financial literacy and economics course.

Other Actions Required:

- The TEA will develop a list of free, open-source, and publicly available curricula that could be used by districts to provide a personal financial literacy and economics course.

HB 1118

Relating to state agency and local government compliance with cybersecurity training requirements.

Author: Representative Giovanni Capriglione

Sponsor: Senator Angela Paxton



Bill Summary:

[House Bill 1118](#) (HB 1118) requires certain local government employees, including certain school district employees, and elected officials who have access to, and use, a local government computer system to perform at least 25 percent of their duties, to complete a cybersecurity training program certified by the Department of Information Resources (DIR) under [Section 2054.519](#) of the Texas Government Code. If an individual is determined to be noncompliant with cybersecurity training requirements, a local government or governing body may deny an individual access to their computer system or database.

HB 1118 charges DIR to create a form for state agencies and local governments to verify completion of cybersecurity training programs. The form must allow for a state agency or local government to indicate the percentage of employee completion.

Local governments must certify their cybersecurity compliance in grant applications for grants under [Chapter 772](#) of the Government Code. Local governments must repay grant money awarded under this chapter if they fail to comply with cybersecurity training requirements and will be ineligible for a grant for two years.

Impact of Legislation

Effective Date:

- May 18, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

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Senate Bill 475

Relating to state agency and local government information management and security, including establishment of the state risk and authorization management program and the Texas volunteer incident response team; authorizing fees.

Author: Senator Jane Nelson

Sponsor: Representative Giovanni Capriglione



Bill Summary:

[Senate Bill 475](#) (SB 475) requires the Department of Information Resources (DIR) to appoint a data management advisory committee composed of each state agency's designated data management officer. The committee must advise the DIR's board and the agency on establishing statewide data ethics, principles, goals, strategies standards, and architecture. The DIR is charged with additional duties to assist with responding to a cybersecurity event in the state and to establish the Texas volunteer incident response team. SB 475 further authorizes the DIR to establish regional network security centers for the purpose of providing cybersecurity support for state agencies and other entities electing to participate and receive services. The DIR may establish a fee schedule for participating entities receiving incident response team assistance.

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Impact of Legislation

Effective Date:

- June 14, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- SB 475 requires each state agency with more than 150 full-time employees designate a data management officer.

Senate Bill 1696

Relating to establishing a system for the sharing of information regarding cyber-attacks or other cybersecurity incidents occurring in schools in this state.

Author: Senator Angela Paxton

Sponsor: Representative Terry Wilson



Bill Summary:

[Senate Bill 1696](#) (SB 1696) requires the TEA to work with the Department of Information Resources (DIR) to establish a system to share anonymous cybersecurity incidents between participating schools in the state. A school district or charter school must report to the TEA, or if applicable, the entity that administers the anonymous reporting system, any cyber-attack or cybersecurity incident that constitutes a breach of system security as soon as practicable after the discovery of the attack or incident.

The anonymous information-sharing system established by the TEA in coordination with DIR must include each report made by a school regarding a cybersecurity attack or incident, provide for the reports to be shared between participating schools in real time (or as close to real time as possible), and preserve a reporting school's anonymity by preventing the disclosure through the system of the name of the school at which the attack or incident occurred.

Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- The TEA is permitted to contract with a qualified third party to administer the system established in this bill.

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House Bill 619

Relating to developing a strategic plan to support the child-care workforce.

Author: Representative Senfronia Thompson

Sponsor: Senator Carol Alvarado



Bill Summary:

[House Bill 619](#) (HB 619) requires the development of a strategic plan to support the child-care workforce. The Texas Workforce Commission (TWC) is charged with developing a strategic plan to improve the quality of the child-care workforce in Texas. The plan must be updated every three years and include the following components:

- Recommendations for local workforce development boards to improve, sustain, and support the child-care workforce;
- Recommendations for increasing compensation for and reducing turnover of child-care workers;
- Recommendations for eliminating pay disparities in the child-care workforce;
- Recommendations for increasing paid opportunities for professional development and education for child-care workers, including apprenticeships;
- Best practices from local workforce development boards in Texas and other programs designed to support child-care workers;
- Recommendations for increasing participation in the Texas Early Childhood Professional Development System;
- Recommendations for public and private institutions of higher education to increase the use of articulation agreements with school districts and open-enrollment charter schools and assist in the education and training of child-care workers;
- Specific recommendations for improving the infant and toddler child-care, and workforce; and
- A timeline and benchmarks for TWC and local workforce development boards to implement recommendations from the strategic plan.

Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.
- The TWC must submit the strategic plan to the Legislature by December 31, 2022.

HB 619 requires TWC to use specific demographic and compensation data in the creation of this plan. Demographic data must include the race, ethnicity, gender, and educational attainment of child-care workers in Texas along with the ages of the children that the worker serves. Compensation data for child-care workers must be disaggregated by race, ethnicity, gender, and educational attainment. The demographic and compensation data must be provided for each child-care facility in the state. The TWC must complete the strategic plan by December 31, 2022.

House Bill 725

Relating to the eligibility of certain children who are or were in foster care for free prekindergarten programs in public schools.

Author: Representative Jared Patterson

Sponsor: Senator Judith Zaffirini



Bill Summary:

[House Bill 725](#) (HB 725), cited as “Jace’s Law”, expands student eligibility for free prekindergarten programs to include students who are currently or were previously in foster care in another state or territory. Current law under [Section 29.153](#) of the Texas Education Code requires a school district to offer a free prekindergarten program for four-year-old children if the district identifies 15 or more students who are at least four years of age and meet eligibility criteria. Furthermore, statute permits, but does not require a district to offer a free prekindergarten program to three-year-old children if the district identifies 15 or more eligible children who are at least three years of age. HB 725 amends this section of code by adding children who are or have ever been in foster care in another state or territory to the list of eligibility criteria for free prekindergarten programs in public schools.

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Impact of Legislation

Effective Date:

- June 4, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- TEA will collect data to determine if a prekindergarten student is or was in foster care in another state or territory to qualify for the free prekindergarten program.

House Bill 2607

Relating to the powers and duties of the Texas Workforce Commission and local workforce development boards regarding the provision of child care and the subsidized child care program.

Author: Representative James Talarico

Sponsor: Senator Eddie Lucio



Bill Summary:

[House Bill 2607](#) (HB 2607) requires child care providers to participate in the previously voluntary Texas Rising Star program, a quality-based child care rating system of child care providers participating in the Texas Workforce Commission's (TWC) subsidized child care program. The rating system must include an entry-level rating for child care providers and a maximum length of time a provider may participate at the entry-level rating. The TWC must evaluate formulas for child care development funds based on specific criteria, including the number of 3-star and 4-star rated child care providers participating in partnerships with public school districts and public charter schools based on data provided by the TEA.

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Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- The TEA will create a new data element and corresponding code table to collect LEA participation in a partnership with specific 3-star and 4-star rated child care facilities.

Senate Bill 2081

Relating to class size limits for prekindergarten classes provided by or on behalf of public schools.

Author: Senator José Menéndez

Sponsor: Representative James Talarico



Bill Summary:

[Senate Bill 2081](#) (SB 2081) limits the size of prekindergarten classes to 22 students. The bill establishes that the class size limit also applies to private providers with which a district contracts to operate a prekindergarten program. Charter schools are not subject to this class-size provision. This act applies with the beginning of 2021-2022 school year.

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Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

House Bill 139

Relating to state occupational licensing of certain military veterans and military spouses.

Author: Representative Brad Buckley

Sponsor: Senator Beverly Powell



Bill Summary:

[House Bill 139](#) (HB 139) incorporates existing provisions related to the licensure of military veterans and spouses from the Texas Occupations Code into the relevant sections of the Texas Education Code and expands the documentation permitted to prove eligibility.

HB 139 permits the Commissioner of Education to adopt rules to include educators who are “military service members,” “military spouses,” and “military veterans” among the out-of-state individuals who may qualify for exemption from required state examinations. The bill also adds [Chapter 55 of the Texas Occupations Code](#) to the guidance the State Board for Educator Certification (SBEC) should use to establish procedures to expedite processing certificate applications for military veterans or spouses. New language is added to establish a process in SBEC rule allowing for the submission of a permanent change of station order for purposes of establishing residency and a military identification card to confirm eligibility of military veterans and military spouses to received expedited processing of their applications.

HB 139 specifies that a state agency that issues a license may adopt rules to establish alternative methods for military service members, military veterans, or military spouses to demonstrate competency to meet licensure requirements that would include receiving appropriate credit for training, education, and clinical and professional experience. A state agency with residency requirements to issue a license must adopt rules to allow a military spouse to submit a copy of the permanent station order for the military person they are married to as part of the documentation to establish residency.

The changes in law made by HB 139 only apply to an initial application or application for renewal of an occupational license or certification filed on or after September 1, 2021.

Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- SBEC rules related to military service members, military spouses, and military veterans will be amended to reflect changes made by this bill.
- Commissioner of Education rules related to examination requirements will be amended to reflect changes made by this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

House Bill 159

Relating to improving training and staff development for primary and secondary educators to enable them to more effectively serve all students.

Author: Representative Mary González
Sponsor: Senator Eddie Lucio



Bill Summary:

[House Bill 159](#) (HB 159) modifies provisions in Chapter 21 of the Texas Education Code regarding the preparation of educators, the approval, accountability, and renewal of education preparation programs (EPPs), and the staff development of educators.

The bill adds and amends educator preparation requirements related to the instruction of all students, with an emphasis on students with disabilities and prescribes techniques included in proactive and evidence-based inclusive instructional practices. To ensure that candidates are aware of their responsibilities to all students in their charge, including students with disabilities, the bill requires teachers to know how different disabilities as defined by the Individuals with Disabilities Act (IDEA), as well as qualifying conditions under Section 504, impact student learning and development.

All candidates are required to receive training related to dyslexia, mental health, substance abuse, and youth suicide. HB 159 requires programs not currently offering this training to candidates seeking certain career and technical education fields to complete this training. EPPs, including those at institutions of higher education, school districts, and regional education service centers, must ensure that their coursework and training include certain proactive instructional planning techniques if their programming is not currently meeting this requirement.

The State Board for Educator Certification (SBEC) is required to promulgate rules to ensure that teachers can identify and develop strategies to instruct students with dyslexia, and ensure teachers receive instruction on mental health issues, substance abuse, and youth suicide.

Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- SBEC rules related to requirements for educator preparation, the accountability system for educator preparation programs, and general certification provisions will be amended to reflect the changes made by this bill.
- The State Board of Education (SBOE) must amend rules to address the changes stipulated in Texas' training programs.

Other Actions Required:

- No additional TEA actions are required to implement this bill.
- EPPs must ensure that their coursework and training meet the requirements of this bill.

House Bill 2256

Relating to creating a bilingual special education certification to teach students of limited English proficiency with disabilities.

Author: Representative Bobby Guerra

Sponsor: Senator Brandon Creighton



Bill Summary:

[House Bill 2256](#) (HB 2256) requires the establishment of a bilingual special education certification pathway for teachers that includes specialized coursework and an aligned certification exam.

The State Board for Educator Certification (SBEC) is charged to establish a bilingual special education certificate that requires special training in providing instruction to students of limited English proficiency with disabilities. HB 2256 requires teacher candidates seeking the bilingual special education certification to complete coursework for the certificate, including skills-based course of instruction on providing instruction to students of limited English proficiency with disabilities, perform satisfactorily on a bilingual special education certification exam prescribed by the SBEC, and meet any other requirements established by the SBEC for issuance of the certificate.

HB 2256 requires the development of bilingual special education educator standards and the development of a new bilingual special education teacher certification exam. The SBEC must propose rules to establish requirements and the certification examination for the bilingual special education certificate and establish standards that govern the initial and continuing approval for educator preparation programs (EPPs) to offer the bilingual special education certificate.

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Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- SBEC rules related to classroom teacher certification standards, educator assessment, requirements for public school personnel assignments, and categories for classroom teaching will be amended to reflect the changes made by this bill.
- Commissioner of Education rules concerning passing standards for educator certification examinations will be amended to reflect the changes made by this bill.

Other Actions Required:

- The SBEC will appoint a standards development committee to develop bilingual special education standards that will be used to create the framework for a new bilingual special education certification test and guidelines for approval and renewal of EPPs.

Senate Bill 226

Relating to instruction in educator training programs regarding digital learning, virtual learning, and virtual instruction.

Author: Senator Angela Paxton
 Sponsor: Representative Jose Lozano



Bill Summary:

[Senate Bill 226](#) (SB 226) requires educators receive training in virtual learning and virtual instruction as part of their training necessary to obtain a certificate. The training must include best practices for assessing students receiving virtual instruction based on academic progress and best practices in developing virtual learning curriculum. SB 226 also defines “virtual instruction” as instructional activities delivered to students primarily over the Internet, and “virtual learning” as digital learning facilitated by virtual instruction.

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Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- State Board for Educator Certification rules related to educator preparation curriculum and governance of educator preparation programs will be amended to reflect the changes made by this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

Senate Bill 1267

Relating to continuing education and training requirements for educators and other school district personnel.

Author: Senator Royce West

Sponsor: Representative Jose Lozano



Bill Summary:

[Senate Bill 1267](#) (SB 1267) makes several changes to various educator continuing education and training requirements throughout the Texas Education Code and repeals outdated training requirements. The bill requires the State Board for Educator Certification (SBEC) to develop and publish a comprehensive clearinghouse of information regarding continuing education and training requirements for educators by June 1, 2022. Furthermore, the SBEC must recommend requirements for completing each continuing education or training program. SB 1267 also requires the board of trustees of a school district and the governing body of an open-enrollment charter school to annually review the clearinghouse and adopt frequency requirements for the completion of continuing education or training for which a frequency is not provided by statute. Local policies must be adopted by August 1, 2022.

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Impact of Legislation

Effective Date:

- June 18, 2021

Rulemaking:

- SBEC rules related to general certification provisions will be amended to reflect the changes made by this bill.
- Various Commissioner of Education rules will be amended or repealed to reflect the changes made by this bill including rules related to professional development and training requirements.

Other Actions Required:

- The professional development clearinghouse will be developed and posted by June 1, 2022.
- The SBEC advisory committee must provide a report to the legislature regarding continuing education requirements by December 1 of each even-numbered year.

Senate Bill 1590

Relating to rules by the State Board for Educator Certification regarding virtual observation options for field-based experiences and internships required for educator certification.

Author: Senator Paul Bettencourt

Sponsor: Representative Gary VanDeaver



Bill Summary:

[Senate Bill 1590](#) (SB 1590) creates flexible options for field-based experiences or internships for educator preparation candidates. The bill requires the State Board for Educator Certification (SBEC) to make rules for field-based experiences and internships that include options for candidate observations of no less than two observations in person and two additional observations in virtual settings that are equivalent in rigor to in-person options for observation, or three observations in person.

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Impact of Legislation

Effective Date:

- June 18, 2021

Rulemaking:

- SBEC rules related to observations will be amended to reflect the changes made by this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

House Bill 246

Relating to the prosecution of the criminal offense of improper relationship between educator and student.

Author: Representative Andrew Murr
 Sponsor: Senator Paul Bettencourt



Bill Summary:

[House Bill 246](#) (HB 246) prohibits a district or open-enrollment charter school from releasing the name of an employee accused of an improper relationship between an educator and student until the person is indicted. Schools may release the employee’s name regardless of whether the employee has been indicted to:

- Report the accusation to the TEA, if the school is providing the information to its members or community in accordance with the school’s policies or religious law;
- The reporting or name release is required by law; or
- The school is conducting an investigation.

The bill also creates a definition of “Sexual Contact” for the same offense.

Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

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House Bill 2519

Relating to matters regarding educators, including the composition of the State Board for Educator Certification, the issuance of certain sanctions by the board, and requiring a school district to notify a teacher regarding the submission of certain complaints to the board.

Author: Representative Drew Darby

Sponsor: Senator Judith Zaffirini



Bill Summary:

[House Bill 2519](#) (HB 2519) requires that at least two of the public-school-employee members of the State Board for Educator Certification (SBEC) be from school districts eligible for the small and mid-sized district allotment under [Section 48.101](#) of the Texas Education Code. HB 2519 also sets new procedural requirements for the SBEC's sanctioning of educators. It requires the SBEC to send notice of suspensions for final (not agreed/settled) orders and to include "information regarding the method in which the teacher may respond to the suspension," and forbids the SBEC from revoking or suspending an educator who gives written notice and resigns by the 30th day before the first day of instruction. HB 2519 also requires school districts to inform the educator when they are reported to the SBEC for contract abandonment.

Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- SBEC rules related to disciplinary proceeding, sanctions, and contested cases will be amended to reflect the changes made by this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

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Senate Bill 199

Relating to automated external defibrillators.

Author: Senator Jane Nelson

Sponsor: Representative Four Price



Bill Summary:

[Senate Bill 199](#) (SB 199) requires increased physician involvement in acquisition of automated external defibrillators (“AEDs”) and increased inspection requirements for AED owners, while reducing statutory training requirements—including those for public school personnel—and increasing immunity from civil damages for persons or entities that own AEDs and for individuals who provide training in AED usage. Specifically, the bill removes the requirement that school districts make training on the use of AEDs available to employees; removes the requirement that school nurses, assistant school nurses, athletic coaches, physical education instructors, marching band directors, cheerleading coaches, any other school employee specified by the commissioner, and each student who serves as an athletic trainer get trained in the use of AEDs; and removes the requirement that private schools adopt a policy that informs employees and volunteers of the principles and techniques of cardiopulmonary resuscitation and the use of an AED.

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Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- Commissioner of Education rules related to AED training for school districts will be repealed to reflect the changes made by this bill.
- State Board for Educator Certification rules related to continuing professional education requirements pertaining to AED training will be amended to reflect the changes made by this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

Senate Bill 1444

Relating to participation in the uniform group coverage program for active school employees and to a study concerning health coverage for school district employees.

Author: Senator Larry Taylor

Sponsor: Representative Greg Bonnen



Bill Summary:

[Senate Bill 1444](#) (SB 1444) amends provisions of the Insurance Code that affect both the Teacher Retirement System (TRS) and the regional education service centers (ESCs). The bill prohibits an entity such as a school district that participates in the Teacher Retirement System ActiveCare (“TRS-ActiveCare”) from offering alternative group health coverage to employees. Beginning September 1, 2022, a participating entity may elect to discontinue participation by providing written notice to the TRS by December 31st of the year preceding the first day of the plan year. An entity choosing to discontinue participation is prohibited from re-entering TRS’s program for at least five years after leaving. Furthermore, SB 1444 stipulates that an entity that elects to participate in TRS-ActiveCare may do so by providing TRS a written notice by the December 31st deadline and must remain in the plan for a minimum of five years.

SB 1444 requires each ESC to establish a regional school district health coverage advisory committee. Each committee must conduct a study assessing health care needs and health coverage options available to employees in their region, and alternative health coverage options that may be available and submit a report to the legislature. The bill stipulates the committees will be chaired by each ESC executive director and be comprised of nine superintendents of districts within the region. SB 1444 details what each ESC report must include and states that reports must be submitted to the legislature by November 2, 2022.

Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- The TRS is granted rulemaking authority to implement this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.
- Each ESC will complete and submit a report as required by this bill.

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House Bill 547

Relating to authorizing equal opportunity for access by non-enrolled students to University Interscholastic League sponsored activities; authorizing a fee.

Author: Representative James Frank
 Sponsor: Senator Angela Paxton



Bill Summary:

[House Bill 547](#) (HB 547) permits a public school that participates in an activity sponsored by the University Interscholastic League (UIL) to allow a non-enrolled student who otherwise meets league eligibility standards to represent that school in a UIL activity. If non-enrolled students are permitted to participate in UIL activities, schools must grant non-enrolled students the opportunity to participate in the same manner the school provides enrolled students. Non-enrolled students may only participate in UIL activities for a school district they are eligible to attend based on their residential address and must establish a minimum proof of residency acceptable to the district.

HB 547 specifies that a non-enrolled student who seeks to participate in a UIL activity is subject to policies regarding registration, age eligibility, fees, insurance, transportation, physical condition, qualifications, responsibilities, event schedules, standards of behavior, and performance.

Parents (meaning parents or persons standing in parental relation to a non-enrolled student) are responsible for oversight of academic standards as it relates to their student’s participation in UIL activities. To be eligible to participate in a UIL activity during the first six-weeks of a school year, the student must demonstrate grade-level academic proficiency through any nationally recognized, norm-referenced assessment instrument, such as the Iowa Test of Basic Skills, Stanford Achievement Test, California Achievement Test, or Comprehensive Test of Basic Skills. Under HB 547, a student’s demonstration of academic proficiency is sufficient for the school year in which the student achieves the required score and for the subsequent school year. After the first six-weeks of a school year, parents must periodically provide written verification in accordance with their school’s grading calendar indicating their student is receiving a passing grade in each of their courses or subjects.

HB 547 prohibits a non-enrolled student from participating in the same year in which the student was previously enrolled in a public school. The bill also prevents the UIL from prohibiting a student from participating in UIL activities in a manner authorized by this legislation.

Additionally, HB 547 specifies that, with respect to a non-enrolled student’s education program, nothing in this bill should be construed to permit a state agency, a public school district, or any other governmental body to exercise control, regulatory authority, or supervision over a non-enrolled student or a parent beyond the control, regulatory authority, or supervision required to participate in a league activity.

Finally, except for the eligibility requirements, the curriculum or assessment requirements, performance standards, practices, or creed of the education program provided to a non-enrolled student is not required to be changed for the

Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- The UIL will adopt rules to reflect the changes made by this bill.
- Commissioner of Education rules related to extracurricular activities require conforming amendments to reflect the changes made by this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

House Bill 547

Relating to authorizing equal opportunity for access by non-enrolled students to University Interscholastic League sponsored activities; authorizing a fee.

Author: Representative James Frank
Sponsor: Senator Angela Paxton



student to participation in a UIL activity. For a non-enrolled student participating in an education program on January 1, 2021, the education program provided to that student may not be required to comply with any state law or agency rule relating to that education program unless the law or rule was in effect on January 1, 2021.

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House Bill 1080

Relating to the eligibility for participation in University Interscholastic League activities of certain public school students who receive outpatient mental health services.

Author: Representative Jared Patterson

Sponsor: Senator Jane Nelson



Bill Summary:

[House Bill 1080](#) (HB 1080) ensures that a student receiving outpatient mental health services and who is enrolled in a school district or open-enrollment charter school is allowed to participate in University Interscholastic League (UIL) activities. A student can still participate in UIL activities if they are otherwise eligible to participate. HB 1080 prohibits the exclusion of students from UIL activities solely based on if that student is receiving mental health outpatient treatment. The bill further prohibits local policies that exclude students from participation if they are absent from instruction time for receiving mental health outpatient treatment. HB 1080 provides for the UIL and local education agencies (LEAs) to amend rules and policies as needed to ensure that provisions of the bill are implemented as adopted.

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Impact of Legislation

Effective Date:

- June 4, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.
- The UIL shall propose or amend rules as necessary to implement the changes made by this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.
- LEAs must adopt or amend policies to comply with this bill as soon as practicable.

House Bill 2721

Relating to prohibiting a student from participating in future extracurricular activities for certain conduct involving the assault of an extracurricular activity official.

Author: Representative Eddie Lucio III
 Sponsor: Senator Eddie Lucio



Bill Summary:

[House Bill 2721](#) (HB 2721) prevents a student from participating in future extracurricular activity sponsored or sanctioned by the school district or the University Interscholastic League (UIL) if the student engages in conduct that contains the elements of the offense of assault against a referee, judge, or other official of an extracurricular activity; and in retaliation for or as a result of the person’s actions taken in performing the duties of a referee, judge, or other official of the extracurricular activity.

HB 2721 allows a student to submit a request to the UIL to participate in future activities if certain conditions are met. If a student was in grade eight or below at the time of an incident, the student may request to participate one year after they engaged in the prohibited conduct. If the student was in grade nine or above at the time of the incident, the student may request to participate two years after the date the student engaged in the prohibited conduct. The student must have completed an anger management course or completed any other course, activity, or action required by the school since engaging in prohibited conduct or demonstrates to the satisfaction of the school district and the UIL that the student has been rehabilitated and is unlikely to engage in prohibited conduct again. Finally, a student can only participate if a previous request submitted by the student to participate had not been denied during the same school year.

In considering the request, the UIL must consider the severity of the prohibited conduct and may set conditions for the student’s future participation. HB 2721 prohibits students removed from competition for reasons established by the bill from practice, rehearsal, or public performance. The bill also adds this reason to the list not considered a contested case for appeal to the commissioner. This act applies beginning with the 2021-22 school year.

Impact of Legislation

Effective Date:

- June 16, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

Senate Bill 776

Relating to the creation of an inclusive sports program by the University Interscholastic League to provide students with intellectual disabilities access to team sports.

Author: Senator Eddie Lucio

Sponsor: Representative Alex Dominguez



Bill Summary:

[Senate Bill 776](#) (SB 776) directs the University Interscholastic League (UIL) to create an inclusive sports program to ensure students with intellectual disabilities have an opportunity to participate in team athletic activities. The bill establishes program requirements, directs the league to adopt rules to implement, and allows the UIL to seek additional funding for this purpose.

SB 776 requires the program, as established by UIL rule, to accommodate inclusive team sports for middle, junior high, and high school students. The program must establish eligibility requirements for participation in each inclusive team sport offered through the program; identify best practices for school districts to incorporate inclusive sports; and incorporate activities that promote bullying prevention, moral intelligence, character development, leadership development, physical fitness, and positive school culture. In adopting rules, the UIL must consider and incorporate federal guidance, guidance from national organizations that promote inclusion and acceptance among students with and without intellectual disabilities. Additionally, the UIL must consider input from the TEA, school districts, and impacted stakeholders.

To the extent possible, the UIL must require students who participate in the inclusive sports program be subject to the same rules and requirements as students who participate in other athletic programs offered by UIL, including grade and disciplinary requirements. Team sports provided through the program are also required to be organized similarly to other athletic programs offered by the UIL, including with respect to team practices, seasonal play, and local and statewide competitions.

Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- Commissioner of Education rules related to extracurricular activities will be amended to reflect the changes made by this legislation. Additionally, the commissioner must approve the rules the UIL adopts in accordance with SB 776.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

Senate Bill 1896

Relating to the provision of health and human services by the Department of Family and Protective Services and the Health and Human Services Commission.

Author: Senator Lois Kolkhorst

Sponsor: Representative James Frank



Bill Summary:

[Senate Bill 1896](#) (SB 1896) amends [Subchapter B, Chapter 264](#) of the Texas Family Code which includes the requirements that the Health and Human Services Commission (HHSC) report the educational outcomes of children placed in a general residential operation to the TEA. Additionally, the TEA and the HHSC will annually evaluate the educational outcomes for these children and adopt strategies and policies to improve their outcomes and standards.

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Impact of Legislation

Effective Date:

- June 14, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- The TEA will annually evaluate the educational outcomes for children placed in a general residential operation and adopt strategies and policies to improve outcomes and standards with the HHSC.

House Bill 1603

Relating to the use of individual graduation committees and other alternative methods to satisfy certain public high school graduation requirements.

Author: Representative Dan Huberty

Sponsor: Senator Kel Seliger



Bill Summary:

[House Bill 1603](#) (HB 1603) eliminates the September 1, 2023, expiration date for individual graduation committees (IGC) and alternative assessment requirements for graduation for students who entered high school prior to the 2011-2012 school year. The bill also allows the commissioner to authorize special accreditation investigations when 10 percent or more of the students graduating in a particular school year from a particular high school campus are awarded a diploma based on the determination of an IGC.

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Impact of Legislation

Effective Date:

- June 7, 2021

Rulemaking:

- Commissioner of Education rules related to high school graduation and assessment requirements for graduation will be amended to reflect the changes made by this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

Senate Bill 369

Relating to the requirement to submit a financial aid application as a condition of high school graduation for public school students.

Author: Senator Lois Kolkhorst

Sponsor: Representative Steve Allison



Bill Summary:

[Senate Bill 369](#) (SB 369) amends requirements related to the opt-out form adopted by school districts for the financial aid application requirement for high school graduation. Public school students must complete and submit a free application for federal aid (FAFSA) or a Texas application for state financial aid (TAFSA) before graduating from high school beginning with students enrolled in grade 12 during the 2021-2022 school year. A student is allowed to be exempted from the requirement if the student’s parent or legal guardian submits a signed form authorizing the student to decline to complete and submit the application or—if the student is 18 years or older—the student may sign and submit the form on the student’s own behalf. A school counselor may also authorize the student to decline to complete and submit the application for good cause, as determined by the school counselor.

School districts and open-enrollment charter schools are required to adopt a form for the purpose of opting-out of this graduation requirement which must be approved by the TEA. SB 369 adds language to require that the adopted opt-out form provide the opportunity, not only for the student, but also for the student’s parent or guardian, to decline to complete and submit an application. SB 369 also clarifies that a counselor, when notifying a school district or charter that a student has complied with this graduation requirement, may not indicate the manner in which a student complied (whether by completing an application or opting-out). The bill also prohibits a counselor from indicating that a student has not complied with the financial aid application requirement if the school district or open-enrollment charter school has not provided the adopted opt-out form to the student or student’s parent or legal guardian.

Impact of Legislation

Effective Date:

- June 14, 2021

Rulemaking:

- State Board of Education rules related to graduation requirements will be amended to reflect the changes made by this bill.
- Commissioner of Education rules related to high school graduation will be amended to reflect the changes made by this bill.

Other Actions Required:

- The TEA is required to approve the opt-out form adopted by school districts and open-enrollment charter schools. To facilitate the approval process, the TEA has developed the form and will update the form to reflect the changes made by this bill.

House Bill 572

Relating to the inclusion of students enrolled in a dropout recovery school as students at risk of dropping out of school for purposes of compensatory, intensive, and accelerated instruction and to a study by the Texas Education Agency on competency-based educational programs.

Author: Representative Harold Dutton

Sponsor: Senator Eddie Lucio



Bill Summary:

[House Bill 572](#) (HB 572) requires the agency to conduct a study on the implementation of a competency-based educational programs by public schools in Texas. Additionally, HB 572 expands the definition of a “student at risk of dropping out of school” to include a student enrolled in a school district or open-enrollment charter school, or a campus of a district or open-enrollment charter school, that is designated as a dropout recovery school as defined by [Section 39.0548](#) of the Texas Education Code.

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Impact of Legislation

Effective Date:

- June 14, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- The TEA must conduct a study on the implementation of a competency-based education program by public schools in the state. Before December 1, 2022, TEA will prepare and submit a report to the Legislature on the results of the study and provide any recommendations for legislative or other action.

House Bill 1278

Relating to public hearings on homelessness issues held by the Texas Interagency Council for the Homeless.

Author: Representative Liz Campos
Sponsor: Senator Paul Bettencourt



Bill Summary:

[House Bill 1278](#) (HB 1278) requires the Texas Interagency Council for the Homeless, of which the TEA is a member, to conduct at least two annual public hearings to address homelessness issues. These two hearings must occur in counties located in both a rural and urban area.

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Impact of Legislation

Effective Date:

- September 1, 2022

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

House Bill 1133

Relating to an election to revoke a county equalization tax imposed in certain counties.

Author: Representative Travis Clardy

Sponsor: Senator Bryan Hughes



Bill Summary:

[House Bill 1133](#) (HB 1133) grants county commissioners the authority to hold an election to revoke county equalization taxes. The provisions of HB 1133 only apply to a county with a population of between 40,000 and 55,000. County equalization taxes are not considered tax collections of a school district for the purposes of calculating a school district's Foundation School Program formula.

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Impact of Legislation

Effective Date:

- June 4, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

House Bill 2723

Relating to public notice of the availability on the Internet of property-tax-related information.

Author: Representative Morgan Meyer
Sponsor: Senator Paul Bettencourt



Bill Summary:

[House Bill 2723](#) (HB 2723) requires the Department of Information Resources (DIR) to develop and maintain a property tax database locator website. As it pertains to school districts, HB 2723 amends Chapter 44 of the Texas Education Code to require the following language be included in a notice of a public meeting to discuss and adopt the district's budget and proposed tax rate:

"Visit [Texas.gov/PropertyTaxes](https://www.texas.gov/PropertyTaxes) to find a link to your local property tax database on which you can easily access information regarding your property taxes, including information about proposed tax rates and scheduled public hearings of each entity that taxes your property."

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Impact of Legislation

Effective Date:

- June 3, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.
- School districts will need to include the language specified in the bill in a notice of a public meeting to discuss and adopt the district's budget and proposed tax rate beginning January 1, 2022.

Senate Bill 1438

Relating to the effect of a disaster on the calculation of certain tax rates and the procedure for adoption of a tax rate by a taxing unit.

Author: Senator Paul Bettencourt

Sponsor: Representative Morgan Meyer



Bill Summary:

[Senate Bill 1438](#) (SB 1438) amends provisions relating to the calculation and adoption of certain tax rates in a declared disaster area. When increased expenditure of money by a school district is necessary to respond to a disaster, including a tornado, hurricane, flood, wildfire, or other calamity, but not including a drought, epidemic, or pandemic, that has impacted the school district and the governor has requested federal disaster assistance for the area in which the school district is located, an automatic election to approve the tax rate for a district would not be required to approve the tax rate for the year following the year in which the disaster occurs. A tax rate adopted under this legislation would only apply in the year for which the rate is adopted.

For taxing units and school districts that adopt a tax rate in response to a disaster, the amount by which the rate exceeds the taxing unit's voter-approval tax rate for that tax year would not be considered when calculating the tax unit's voter-approval tax rate for the following tax year.

SB 1438 also modifies the application for exemption and makes conforming changes to Texas Education Code, Water Code, and Special District Local Laws. The changes in law made by SB 1438 only apply to ad valorem taxes imposed for a tax year that begins on or after January 1, 2022.

Impact of Legislation

Effective Date:

- June 16, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

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House Bill 2287

Relating to data collection and receipt of certain reports by and consultation with the Collaborative Task Force on Public School Mental Health Services.

Author: Representative Senfronia Thompson

Sponsor: Senator Beverly Powell



Bill Summary:

[House Bill 2287](#) (HB 2287) adds to and clarifies the existing data collection requirements associated with the Task Force on Public School Mental Health Services (“Task Force”).

TEA must develop a list of statewide resources available to school districts to address student mental health. HB 2287 clarifies that the TEA shall provide an electronic copy of this list to the Task Force as soon as practicable after the list is developed and whenever the list is revised in the future until December 1, 2025.

The Task Force, or the TEA on behalf of the Task Force, may request data from the following entities to assist the Task Force in performing its duties:

- School districts;
- Open-enrollment charter schools;
- Regional Education Service Centers (ESCs);
- Local Mental Health Authorities (LMHAs); or
- Other entities that possess information relevant to the Task Force’s duties.

HB 2287 includes language to protect student privacy for any data that is collected by the TEA or the Task Force and expresses immunity for disclosures for persons who provide data in accordance with this legislation.

The bill expands the duties of the Task Force to include gathering data on the number of individuals who are placed in a disciplinary alternative education program, received out-of-school suspension, or were expelled and the number of reports made from each local education agency by an employee to the Department of Family and Protective Services regarding an alleged incident of abuse or neglect.

Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- No Commissioner of Education, State Board for Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- This bill continues TEA activities related to the Task Force, but no new activities are required of TEA by this bill.

Senate Bill 279

Relating to the inclusion of suicide prevention information on certain student identification cards issued by a public school or public institution of higher education.

Author: Senator Juan 'Chuy' Hinojosa

Sponsor: Representative John Bucy



Bill Summary:

[Senate Bill 279](#) (SB 279) requires student identification cards issued in grade six or higher to include contact information for the National Suicide Prevention Lifeline, the Crisis Text Line and may include a local suicide prevention hotline if available. SB 279 also adds requirements for college student identification cards. This bill applies to identification cards issued on or after June 14, 2021.

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Impact of Legislation

Effective Date:

- June 14, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

House Bill 3932

Relating to the establishment of the State Advisory Council on Educational Opportunity for Military Children.

Author: Representative Diego Bernal
 Sponsor: Senator José Menéndez



Bill Summary:

[House Bill 3932](#) (HB 3932) reintroduces the requirement for a State Council (“council”) to the Texas agreement on the [Interstate Compact on Educational Opportunity for Military Children](#) (“Compact”). Four or more members will be added to the council to oversee the Compact and participate in the Military Interstate Compact Commission (established by the Compact and comprised of representatives from member states). The council may be tasked with development of policy concerning operations and procedures of the Compact within the state. Further, the council will aid in expanding knowledge of the existence of the Compact to local education agencies in Texas, thereby increasing educational supports for military-connected students.

HB 3932 directs the TEA to appoint one or more members of the council. The purpose of the council is to provide for the coordination among the state’s agencies of government, school districts, and military installations concerning the state’s participation in, and compliance with, Military Interstate Compact and Interstate Commission activities.

Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- The TEA will appoint one or more members to the council.

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House Bill 4124

Relating to enrollment in certain special-purpose school districts and the allotment under the public school finance system for those districts.

Author: Representative Gina Hinojosa
 Sponsor: Senator Charles Perry



Bill Summary:

[House Bill 4124](#) (HB 4124) permits special-purpose school districts operated by general academic teaching institutions to prioritize military-connected students for enrollment on waitlists for enrollment. Under HB 4124, these special-purpose school districts are able to receive funding for students who are not residents of the state if they are currently a dependent of someone in the United States military and were previously enrolled in school in Texas.

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Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this legislation.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

Senate Bill 1232

Relating to the management and investment of the permanent school fund, including authorizing the creation of the Texas Permanent School Fund Corporation to manage and invest the fund and limiting the authority of the School Land Board to manage and invest the fund if the corporation is created.

Author: Senator Larry Taylor

Sponsor: Representative Greg Bonnen



Bill Summary:

[Senate Bill 1232](#) (SB 1232) allows the State Board of Education (SBOE) to create the Texas Permanent School Fund Corporation (“Corporation”), which would merge the SBOE and School Land Board (SLB) portions of the Permanent School Fund (PSF) into a single, standalone entity. This will bring the management of the PSF under one roof, which is anticipated to allow for better coordination on investments as well as distribution policy. It is expected that over time, the growth in the PSF will be greater, thereby increasing distributions to support public schools in Texas.

The SBOE may incorporate the Corporation and delegate to the Corporation the SBOE’s authority to manage and invest:

- The PSF; and
- The Charter District Bond Guarantee Reserve Fund.

The SBOE must adopt the initial of articles of incorporation for the Corporation. The board of directors is composed of the following nine members:

- Five members of the SBOE appointed by the Board in accordance with Board policy;
- The commissioner of the GLO;
- One member appointed by the commissioner of the GLO who has substantial background and expertise in investments and asset management; and
- Two members appointed by the governor, with the advice and consent of the senate, each of whom must have substantial background and expertise in investments and asset management and may not be members of the SBOE or SLB.

All PSF staff and investments that are currently part of the TEA will transfer to the Corporation. Staff and investments from the General Land Office (GLO) will also transfer, although the GLO would continue to manage real estate and minerals and royalty interests. The transfer will begin no sooner than January 2023.

Impact of Legislation

Effective Date:

- The Act is effective September 1, 2021; however, Article 2 (containing transfer provisions) takes effect December 31, 2022, and only if the SBOE creates the Corporation.

Rulemaking:

- SBOE rules related to the management of the PSF will be amended and/or repealed to reflect the changes made by this bill.

Other Actions Required:

- The TEA must submit a plan by September 1, 2021, that describes the steps required to implement this bill.

House Bill 750

Relating to requiring a school district to post the district’s employment policy on the district’s Internet website.

Author: Representative DeWayne Burns
Sponsor: Senator Charles Perry



Bill Summary:

[House Bill 750](#) (HB 750) requires school districts that have an Internet website to post their employment policies, and any regulations or forms referenced in their employment policies to their website. School districts must make any forms referenced in the policy available either on their websites, if they have a website, or an intranet website or district administrative office, if the district does not have a website.

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Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.
- School districts must post the required information on their district website.

Senate Bill 204

Relating to the operation of a public school transportation system.

Author: Senator Charles Schwertner
 Sponsor: Representative Dan Huberty



Bill Summary:

[Senate Bill 204](#) (SB 204) resolves a conflict within statute related to the operation of a public school transportation system. The bill removes the requirement for interlocal agreements to provide transportation to transfer students. SB 204 allows districts or counties to provide transportation to students that reside outside the district or county if certain conditions are met including:

- A local board must have an active policy that prohibits screening transfer students who reside outside the district based on the student’s academic performance, disciplinary history, or attendance record regardless of any relevant district of innovation plan adopted by the board or authorized to screen transfer students under any other authority; and
- Certifies that the district has an overall performance rating of C or higher for the preceding year, overall accountability score of 70 or higher for the preceding year or the most recent school year in which a performance rating was assigned, and the same or better overall performance for the preceding year as the school district from which the district will transport students.

The bill clarifies that school boards are not prohibited from operating a transportation system in another county or district to ensure efficient routes for transporting students. SB 204 applies only to school districts and does not apply to charter schools.

Impact of Legislation

Effective Date:

- June 14, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- The TEA released [To the Administrator Addressed](#) correspondence regarding SB 204 on July 15, 2021.

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Senate Bill 797

Relating to the display of the national motto in public schools and institutions of higher education.

Author: Senator Bryan Hughes
Sponsor: Representative Tom Oliverson



Bill Summary:

[Senate Bill 797](#) (SB 797) requires public schools and institutions of higher education to display durable posters or framed copies of the United States national motto, “In God We Trust,” along with a corresponding image of the American flag and Texas flag if the poster or copy is donated or purchased from private donations.

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Impact of Legislation

Effective Date:

- June 16, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

Senate Bill 1116

Relating to a county, city, or independent school district posting election notices and results on an Internet website.

Author: Senator Paul Bettencourt
Sponsor: Representative John Bucy



Bill Summary:

[Senate Bill 1116](#) (SB 1116) requires counties, cities, and school districts to post election results and related information on their respective Internet websites if the entity maintains Internet sites. The bill requires that no later than the 21st day before election day, an independent school district must post the date of the next election, polling locations, and each candidate or measure on the ballot. Furthermore, an independent school district that holds an election must post, as soon as practicable after the election, the results of each election, the total number of votes cast, the total number of votes cast for each candidate or for or against each measure, the total number of votes cast in-person on election day, the total number of votes cast in-person or mail-in in the early voting period, and the total number of counted and uncounted provision ballots cast. SB 1116 applies to school districts but does not apply to charter schools.

Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

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House Bill 1525

Relating to the public school finance system and public education.

Author: Representative Dan Huberty
 Sponsor: Senator Larry Taylor



Bill Summary:

[House Bill 1525](#) (HB 1525) makes several changes to the statute governing the Foundation School Program (FSP), including correcting certain provisions of House Bill 3, 86th Legislature, Regular Session, that had unintended consequences for the public school finance system and public education. Furthermore, HB 1525 directs new educational supports for schools in response to the COVID-19 pandemic. The following summary of HB 1525 includes an overview of changes to the FSP, new COVID-19 supports, and other substantive provisions within the legislation.

Foundation School Program:

Notable changes to the FSP under HB 1525 include:

- Providing a stand-alone Gifted and Talented Allotment based on a weight of 0.07 (in addition to the Gifted and Talented funding rolled into the basic allotment by HB 3);
- Providing graduated funding under the Fast Growth Allotment for student growth over the previous six years that exceeds 250 students;
- Providing increased career and technical education (CTE) funding weights for CTE courses that are part of a program of study, and ensuring CTE funding for small and mid-sized districts;
- Adding qualifications for the College, Career, and Military Readiness (CCMR) Outcomes Bonus to include students who earn an associate degree;
- Ensuring homeless students are supported with the highest weight of 0.275 under the Compensatory Education Allotment; and
- Limiting the Formula Transition Grant funding to an amount not to exceed \$400 million per year; and
- Directs federal funds to be used to overcome the learning loss from the impact of the pandemic on student learning.

COVID-19 and Disaster Response:

To ensure educational supports for overcoming the impact of the COVID-19 pandemic, HB 1525 creates new grants funded out of state federal discretionary funds from the Coronavirus Response and Relief Supplemental Appropriations (CRRSA) and American Rescue Plan (ARP). The bill ensures all districts benefit from federal funding to deal with the education impact of the pandemic and focuses funding, in amount of \$208.35 per enrolled student and an additional \$1,290 per student multiplied by the percentage of students not performing satisfactorily, to ensure supports for students to accelerate their education to overcome the impact on educational attainment due to the pandemic.

In addition to accelerated learning supports and supplemental instructional supports, HB 1525 provides for reimbursements for certain technology purchases and expands the allowable use of the Instructional Materials and Technology Allotment to include costs associated with distance learning such as Wi-Fi or Internet hotspots. Additionally,

Impact of Legislation

Effective Date:

- June 18, 2021

Rulemaking:

- Various Commissioner of Education Rules will be adopted or amended to reflect the changes made by this bill.

Other Actions Required:

- In addition to the actions required by HB 1525, the TEA will issue correspondence and guidance to local education agencies on a continuous basis. Please refer to the TEA website for additional information.

House Bill 1525

Relating to the public school finance system and public education.

Author: Representative Dan Huberty

Sponsor: Senator Larry Taylor



HB 1525 provides a one-time reimbursement for costs incurred as a result of Winter Storm Uri. Under HB 1525, the TEA is required to update certain legislative offices at least once per quarter regarding the state response to COVID-19 pandemic until September 1, 2024.

Other Notable Provisions:

- **Tutoring-** Expands access to quality educators for purposes of tutoring to overcome the impact of learning by the pandemic, by establishing a process for educators to be part of tutoring pools and ensuring retired educators can receive compensation for tutoring services without jeopardizing their retirement.
- **Tax Rates-** For districts that tax above the allowed tax compression levels, clarifies that the commissioner is required to reduce state aid or increase recapture in an amount equal to any state and local revenue generated by a school district by a tax rate that is out of compliance with [Chapter 48](#) or [45.003](#) of the Texas Education Code.
- **Recapture-** Lowers recapture by expanding the netting of school district's recapture obligations against state aid in both Tier 1 and Tier 2.
- **Health Curriculum-** Requires each board of trustees to establish a policy for the adoption of curriculum materials for a district's human sexuality instruction. A district's student health advisory council (SHAC), now subject to the Open Meetings Act, must ensure any human sexuality materials are posted on the district's website. Parents must be provided the option to review or purchase curriculum materials at the parent's discretion or to remove their student from the any part of the human sexuality instruction.
- **Expanded Learning Options-** Expands career-focused high school programs such as Pathways in Technology Early College High Schools (P-TECH), the Regional Pathways Network, and the Jobs and Education for Texans (JET) grant program.
- **Resource Campuses:** Expands support for struggling campuses (four "F" ratings over a 10 year period), by establishing "resource campuses." Resource campuses have access to additional recourses but must implement an intensive program that ensures quality educators and educator support along with comprehensive student supports.
- **School Safety:** Requires the commissioner to annually publish a report regarding funds allocated under the School Safety Allotment including programs, personnel, and resources purchased by districts and other purposes for which the funds were used.
- **Teachers, Educators, and Supplemental Education Staff:** Extends the deadline for Literacy Achievement Academies through the 2022-2023 school year. The bill also allows compensation paid to teachers under the Teacher Incentive Allotment (TIA) to be eligible for calculating Teacher Retirement System (TRS) benefits and member contributions. Texas School for the Deaf and Texas School for the Blind and Visually Impaired are now eligible for the TIA.

House Bill 1525

Relating to the public school finance system and public education.

Author: Representative Dan Huberty

Sponsor: Senator Larry Taylor



- **Miscellaneous-** Requires school districts to accept donations from a parent-teacher organization or association recognized by the district to fund supplemental education staff positions at a school campus and spend the donations as directed by the organization. This requirement expires September 1, 2025.

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House Bill 3456

Relating to inclusion of funds received by certain educational institutions or programs in foundation school program funds for purposes of certain budget reductions.

Author: Representative James White

Sponsor: Senator Sarah Eckhardt



Bill Summary:

[House Bill 3456](#) (HB 3456) provides that funds received by specific types of school districts or charter schools, or appropriated to their operating departments or agencies, are considered part of the foundation school program (FSP) and not subject to Legislative Budget Board or gubernatorial budget reductions. The provisions of HB 3456 apply to the Windham School District, nonprofit adult high school diploma and industry certification charter school programs, the Texas School for the Blind and Visually Impaired, and the Texas School for the Deaf. Furthermore, HB 3456 also includes funds received by a local juvenile probation department or appropriated to the Texas Juvenile Justice Department for purposes of operating a juvenile justice alternative education program are considered part of the FSP and not subject to Legislative Budget Board or gubernatorial budget reductions.

Impact of Legislation

Effective Date:

- June 14, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

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House Bill 690

Relating to training requirements for a member of the board of trustees of an independent school district.

Author: Representative Will Metcalf
Sponsor: Senator Judith Zaffirini



Bill Summary:

[House Bill 690](#) (HB 690) charges the State Board of Education (SBOE) to require school district trustees to complete a training on school safety. The SBOE, in coordination with the Texas School Safety Center, must develop the curriculum and materials for the training.

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Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- SBOE rules related to continuing education requirements will be amended to reflect the changes made by this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

House Bill 1788

Relating to immunity from liability of public and private schools and security personnel employed by those schools for certain actions of security personnel.

Author: Representative Cole Hefner

Sponsor: Senator Bryan Hughes



Bill Summary:

[House Bill 1788](#) (HB 1788) provides for the immunity of school districts, open-enrollment charter schools, and private schools as well as the security personnel they employ with regards to civil suits for actions taken by the security personnel. Specifically, schools are immune from liability for any damages resulting from a reasonable action taken by an employee who has written permission from the governing body to carry a firearm on campus. Additionally, school security personnel are immune from liability for damages resulting from reasonable action taken by that person to maintain the safety of the school campus. This act applies beginning with the 2021-2022 school year.

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Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

House Bill 3597

Relating to policies, procedures, and measures for school safety in public schools.

Author: Representative Will Metcalf
 Sponsor: Senator Angela Paxton



Bill Summary:

[House Bill 3597](#) (HB 3597) updates several provisions within the Texas Education Code related to school safety and emergency operation management. HB 3597 clarifies that only school districts with a facility within 1,000 yards of a railroad track need to include policy for responding to a train derailment in their multihazard emergency operations plan. The bill directs the commissioner in consultation with the Texas School Safety Center (TXSSC) and state fire marshal to designate the number and type of mandatory school drills not to exceed a total of eight drills.

HB 3597 grants new flexibilities for superintendents to appoint members to their district’s safe and supportive school and threat assessment teams. Furthermore, the bill reduces the number of months from six to three when the TXSSC must notify the TEA that a district has failed to conduct a public hearing on the district’s multihazard emergency operations plan noncompliance. Each school district that enters a memorandum of understanding (MOU) or mutual aid agreement addressing issues that affect school safety and security shall, at the TXSSC’s request, provide a copy of the MOU or agreement to the TXSSC.

HB 3597 entitles Texas State University to obtain criminal history record information that relates to a person who is registering with the TXSSC to provide safety or security consulting services.

This bill applies to charter schools with the exception of the provisions related to conducting a public hearing on a school district’s multihazard emergency operations plan noncompliance which do not apply to charter schools.

Impact of Legislation

Effective Date:

- June 18, 2021

Rulemaking:

- Commissioner of Education rules related to mandatory school drills will be amended to reflect the changes made by this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

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Senate Bill 168

Relating to emergency drills and exercises conducted by public schools.

Author: Senator César Blanco
 Sponsor: Representative Claudia Ordaz Perez



Bill Summary:

[Senate Bill 168](#) (SB 168) requires the commissioner of education, in consultation with the Texas School Safety Center (TXSSC) and state fire marshal, to adopt rules providing for best practices when conducting emergency school drills and exercises. SB 168 requires that before a school district or charter school may conduct an active shooter exercise, the district or charter must adopt a policy on active shooter exercises to ensure that parents and staff are provided adequate notice of the date, content, form, and tone of exercises and whether the exercise will include a live simulation of an actual shooting incident. SB 168 further requires policies adopted for the exercise by districts and charters are announced prior to the start of the exercise, including, if applicable, that the exercise includes a live simulation of a threat, such as a shooting incident.

Districts and charters must notify first responder organizations that would likely respond in the event of a false report or alarm of the exercise and create a safe zone around the area to keep out actual firearms, ammunition, or other weapons. SB 168 requires that the exercise be age and developmentally appropriate and be developed by a team of administrators, teachers, school-based mental health professionals, and law enforcement officers, with input from parents and students. The exercise must incorporate trauma-informed practices to directly address the well-being of students who participate. SB 168 applies with the beginning of the 2021-2022 school year.

Impact of Legislation

Effective Date:

- June 14, 2021

Rulemaking:

- Commissioner of Education rules related to school drills and exercises will be adopted to reflect the changes made by this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

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Senate Bill 741

Relating to the carrying or storage of a handgun by a school marshal.

Author: Senator Brian Birdwell
Sponsor: Representative Scott Sanford



Bill Summary:

[Senate Bill 741](#) (SB 741) removes certain restrictions on school marshals regarding where and when handguns may be carried, possessed, or used. Under SB 741, a school marshal who has regular, direct contact with students may carry a concealed handgun or may keep the handgun in either a locked and secure safe or another locked and secure location.

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Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

Senate Bill 785

Relating to the expiration of a school marshal license issue or renewed by the Texas Commission on Law Enforcement

Author: Senator Brandon Creighton
Sponsor: Representative Cole Hefner



Bill Summary:

[Senate Bill 785](#) (SB 785) changes the expiration date of a school martial license from the person’s birthday to August 31st every two years. This applies to both newly issued licenses from the Texas Commission on Law Enforcement and license renewals.

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Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

Senate Bill 1191

Relating to the definition of a school resource officer.

Author: Senator Kel Seliger

Sponsor: Representative Gary VanDeaver



Bill Summary:

[Senate Bill 1191](#) (SB 1191) modifies the definition of a school resource officer to exclude police officers who are only working extracurricular events, such as sporting events.

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Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

Senate Bill 1831

Relating to the punishment for trafficking of persons, online solicitation of a minor, and prostitution and to the dissemination of certain information, including the required posting of certain signs, regarding human trafficking; increasing criminal penalties; providing a civil penalty.

Author: Senator Larry Taylor

Sponsor: Senator Senfronia Thompson



Bill Summary:

[Senate Bill 1831](#) (SB 1831), cited as the “No Trafficking Zone Act,” requires each public or private primary or secondary school to post warning signs in specific locations on the school’s premises regarding increased penalties for human trafficking. The TEA, in consultation with the Human Trafficking Prevention Task Force, must adopt rules regarding the placement, installation, design, size, wording and maintenance procedures for the warning signs. The rules must stipulate that warning signs should be at least 8-1/2 by 11 inches in size and be written in both English and Spanish.

SB 1831 directs the TEA to provide the signs to schools at no cost. If the agency is unable to furnish enough signs, the TEA may provide a school fewer signs than the number necessary to comply with SB 1831’s posting requirements and prioritize sign distribution to locations based on criminal activity reports in areas near that school.

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Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- New Commissioner of Education rules will be adopted as necessary regarding the placement, installation, design, size, wording, and maintenance procedures for the warning signs.

Other Actions Required:

- The TEA will need to develop and procure signage for external posting around school premises and disseminate the signs to schools.

Senate Bill 2050

Relating to bullying and cyberbullying in public schools.

Author: Senator José Menéndez

Sponsor: Representative Steve Allison



Bill Summary:

[Senate Bill 2050](#) (SB 2050) requires local education agencies (LEAs) to update their policies and procedures related to bullying to prevent and mediate bullying incidents between students.

The bill directs the TEA to adopt minimum standards for an LEA's policy related to bullying which must:

- Include an emphasis on bullying prevention by focusing on school climate and building healthy relationships between students and staff;
- Require each district campus to establish a committee to address bullying by focusing on prevention efforts and health and wellness initiatives;
- Require students at each grade level to meet periodically for instruction on building relationships and preventing bullying, including cyberbullying;
- Include an emphasis on increasing student reporting of bullying incidents to school employees by increasing awareness about district reporting procedures and providing for anonymous reporting of bullying incidents;
- Require districts to collect information annually through student surveys on bullying, including cyberbullying and use those survey results to develop action plans to address student concerns regarding bullying, including cyberbullying; and
- Require districts to develop a rubric or checklist to assess an incident of bullying and to determine the district's response to the incident.

Additionally, SB 2050 requires LEAs to report the number of reported incidents of bullying and the number of incidents of bullying that included cyberbullying, that have occurred at each campus to the TEA as required by Commissioner of Education rule.

Impact of Legislation

Effective Date:

- June 18, 2021

Rulemaking:

- New Commissioner of Education rules will be adopted to require LEAs to annually report the number of reported incidents of bullying, including cyberbullying, that have occurred at each campus.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

Senate Bill 2158

Relating to requiring the Texas Education Agency to provide identification kits to school districts and open-enrollment charter schools for distribution to the parent or legal custodian of certain students.

Author: Senator Donna Campbell
Sponsor: Representative James Frank



Bill Summary:

[Senate Bill 2158](#) (SB 2158) authorizes the TEA to provide inkless, in-home, DNA identification kits to all local education agencies (LEAs), to be distributed by the LEA to the parent or legal guardian upon request for kindergarten, elementary, or middle school students. A kit may be submitted to federal, state, tribal, or local law enforcement by the parent or guardian in an effort to locate and return missing or trafficked children.

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Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- The TEA will acquire inkless ID kits and create a process to provide these kits to all districts and open-enrollment charter schools.

House Bill 785

Relating to behavior improvement plans and behavioral intervention plans for certain public school students and notification and documentation requirements regarding certain behavior management techniques.

Author: Representative Alma Allen
 Sponsor: Senator Judith Zaffirini



Bill Summary:

[House Bill 785](#) (HB 785) expands requirements for rules adopted by the Commissioner of Education regarding use of confinement, restraint, seclusion, and time-out, including written notification, a student’s special education eligibility school records, and documentation requirements within a behavior improvement plan or a behavioral intervention plan. HB 785 also requires actions that must be taken if a student with a disability that receives special education services receives a disciplinary action that constitutes a change in placement. This bill is applicable beginning with the 2021-2022 school year.

The act requires the individualized education programs (IEP) team to review the behavior improvement plan or behavioral intervention plan in students’ IEP at least once per year and specifies conditions that would require the behavior improvement plan or behavior intervention plan to be modified or changed.

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Impact of Legislation

Effective Date:

- June 4, 2021

Rulemaking:

- Commissioner of Education rules related to procedures for use of restraint and time-out will be amended to reflect the changes made by this bill.

Other Actions Required:

- TEA’s Guide to Student Discipline will need to be updated to reflect the changes in this bill.
- Districts and charters will need to update their student codes of conduct and corresponding local policies.

House Bill 1252

Relating to the limitation period for filing a complaint and requesting a special education impartial due process hearing.

Author: Representative Joe Moody

Sponsor: Senator Bob Hall



Bill Summary:

[House Bill 1252](#) (HB 1252), cited as the “Edgar Pacheco Jr. Act,” changes the limitations period for filing a special education due process hearing complaint and requesting a hearing from one year to two years. The bill prohibits TEA from adopting or enforcing a rule that creates a limitations period for filing a special education due process hearing complaint that is less than the limitations period allowed under the Individuals with Disabilities Education Act (IDEA). The provisions of HB 1252 apply to a special education complaint filed and hearings requested on or after September 1, 2022. The bill further provides that complaints filed and hearings requested before the effective date of the bill are subject to the limitations period in effect at the time the complaint was filed. HB 1252 requires the commissioner to amend rules as necessary to comply with this legislation.

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Impact of Legislation

Effective Date:

- September 1, 2022

Rulemaking:

- Commissioner of Education rules related to special education due process hearings will be amended to reflect the changes made by this bill.

Other Actions Required:

- The TEA will update the Special Education Dispute Resolution Handbook and Notice of Procedural Safeguards to reflect the changes made by this bill.

Senate Bill 89

Relating to supplemental information required for inclusion with a written statement of an individualized education program developed for certain public school students who received special education services during the 2019-2020 or 2020-2021 school year.

Author: Senator José Menéndez

Sponsor: Representative Mary González



Bill Summary:

[Senate Bill 89](#) (SB 89), cited as the “COVID-19 Special Education Recovery Act,” requires an additional supplement to certain students’ individualized education programs (IEPs). The supplement will document the timeline for completing a student’s initial evaluation report and the initial admission, review, and dismissal (ARD) committee meeting. The supplement must also document whether the student’s special education and related services were disrupted. Finally, the supplement must document whether the respective student requires compensatory educational services to address any delay in the student’s initial evaluation, any delay in convening the student’s initial ARD committee meeting, or the disruption of the student’s special education and related services

Impact of Legislation

Effective Date:

- June 7, 2021

Rulemaking:

- The TEA is granted permissive rulemaking authority if necessary to implement this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

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Senate Bill 1716

Relating to a supplemental special education services and instructional materials program for certain public school students receiving special education services.

Author: Senator Larry Taylor

Sponsor: Representative Greg Bonnen



Bill Summary:

[Senate Bill 1716](#) (SB 1716) codifies the [Supplemental Special Education Services \(SSES\)](#) to provide families of students receiving special education services funding to support their child's education. The TEA will provide each approved student a grant of up to \$1,500 to purchase supplemental special education services and supplemental special education instructional materials. The TEA will designate at least one regional education service center (ESC) to administer the program.

SB 1716 directs the TEA to establish eligibility criteria to approve an application for SSES. The criteria must require that the student be enrolled in the current school year at a district or open-enrollment charter school and in a special education program. The TEA must give priority to children eligible for the compensatory education allotment.

The TEA, subject to available funding, must approve each student who meets the program eligibility criteria and assign to the student an online account. The account is only permitted to be used by the student's parent to purchase supplemental special education services by an agency-approved provider or supplemental special education instructional materials for their student.

SB 1716 directs a student's admission, review, and dismissal (ARD) committee to develop a student's individualized education program, in compliance with Individuals with Disabilities Education Act without consideration of any supplemental special education services that may be provided. A student's ARD committee approved for participation in the program is required to provide student's parent information regarding the types of SSES available under the program provided by agency-approved providers and instructions regarding accessing an account. By December 1, 2021, the commissioner must adopt all necessary rules to implement the SSES program which expires September 1, 2024.

Impact of Legislation

Effective Date:

- June 18, 2021

Rulemaking:

- New Commissioner of Education rules will be adopted as necessary to administer the program created by this bill by December 1, 2021.

Other Actions Required:

- The TEA must implement the grant program to provide \$1,500 grants to eligible students for supplemental special education and instructional materials.
- The TEA will create eligibility guidelines, an approved vendor and service provider list, and procedures for becoming an approved vendor or service provider.

HB 29

Relating to authorizing the provision of temporary secure storage for weapons at certain public buildings; authorizing fees.

Author: Representative Valoree Swanson
Sponsor: Senator Bryan Hughes



Bill Summary:

[House Bill 29](#) (HB 29) amends the Texas Government Code and the Texas Local Government Code to authorize the provision of temporary secure storage of weapons in certain public buildings operated by state agencies and political subdivisions. The bill does not apply to public primary and secondary schools or institutions of higher education. This bill will affect the TEA only if the agency chooses to provide temporary secured storage of weapons. HB 29 also adds administrative provisions regarding retrieving stored firearms or disposing of abandoned, stored firearms.

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Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- Action will only be needed if the TEA decides to provide weapon storage.

House Bill 1322

Relating to a summary of a rule proposed by a state agency.

Author: Representative Matt Shaheen
Sponsor: Senator Judith Zaffirini



Bill Summary:

[House Bill 1322](#) (HB 1322) requires state agencies to provide a plain-language summary on the agency’s website when filing a notice of a proposed rule. HB 1322 limits the brief explanation of a proposed rule to no more than 100 words. This bill applies to all proposed Commissioner of Education, State Board of Education, and State Board for Educator Certification rules filed after September 1, 2023.

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Impact of Legislation

Effective Date:

- September 1, 2023

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- The TEA must provide a plain-language summary of any proposed rules on the TEA website filed on or after the effective date.

House Bill 1589

Relating to paid leave for public officers and employees engaged in certain military service.

Author: Representative Yvonne Davis
Sponsor: Senator José Menéndez



Bill Summary:

[House Bill 1589](#) (HB 1589) allows a state agency employee, who is also a member of the military and is called to active duty in response to a disaster, to be entitled to up to seven days of paid time off during the active duty period. An employee cannot exceed seven days during a fiscal year. During this time, the employee cannot be subjected to loss of time, efficiency rating, personal time, sick leave, or vacation time.

HB 1589 defines a state employee who is called to active duty as a person who is an officer or employee of this state, a municipality, a county, or another political subdivision of this state who is a member of the Texas military forces, a reserve component of the armed forces, or a member of state or federally authorized urban search and rescue team. The bill defines a disaster as the occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural or man-made cause, including fire, flood, earthquake, wind, storm, wave action, oil spill or other water contamination, volcanic activity, epidemic, air contamination, blight, drought, infestation, explosion, riot, hostile military or paramilitary action, extreme heat, other public calamity requiring emergency action, or energy emergency.

Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

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House Bill 2063

Relating to the establishment of a state employee family leave pool.

Author: Representative Claudia Ordaz Perez

Sponsor: Senator Charles Schwertner



Bill Summary:

[House Bill 2063](#) (HB 2063) establishes paid leave pool to which employees may contribute leave and from which employees may request to take leave for eligible reasons, most of which are consistent with the Family and Medical Leave Act (FMLA) qualifying reasons and including illness resulting from a pandemic. This bill applies to state agencies but has no impact on school districts or charter schools.

The purpose of the bill is to allow eligible state employees to apply for paid family leave in order to bond with children during first year of birth, adoption or placement, caring for seriously ill family members, including pandemic-related illness. HB 2063 requires the head of an agency to establish and administer a program that allows agency employees to voluntarily transfer sick or vacation leave to a family leave pool and requires the head of an agency to adopt rules for operating the leave pool.

A state employee may contribute one or more days of accrued leave to the leave pool. The pool administrator shall credit the pool with the donated leave and deduct the donated leave from the donating employee's leave balance. A retiring employee may designate the number of accrued sick or vacation leave they want to use for retirement credit and the number of accrued leave hours they want to donate to the sick leave pool or the family pool.

HB 2063 establishes that an employee is eligible to use the family leave pool if they have exhausted all other leave because the birth, adoption or foster placement of a child, a serious illness to an immediate family member or themselves, including pandemic-related illness, an extenuating circumstance created by an ongoing pandemic, including providing essential care to a family member, or a previous donation of time to the pool.

HB 2063 stipulates that a state employee can apply to withdraw time from the sick leave pool. If they are applying because of a serious illness and have exhausted sick leave and time is available in the sick leave pool, they must submit a written statement from a medical care provider treating them or their family member. If they are applying because of an extenuating circumstance created by an ongoing pandemic, including providing essential care to a family member, the employee must provide relevant documentation, including an essential caregiver designation, proof of school or daycare closure, or other appropriate documentation. If the pool administrator determines the state employee is eligible, the administrator shall approve the transfer of time to the employee from the pool and credit the time to the employee. A state employee may not be transferred leave from the family leave pool in excess of one-third the total time in the pool or 90 days whichever is less. The pool administrator must determine the amount of time that an employee may withdraw from the pool. A state employee absent while using time withdrawn from the family leave pool may use the time as sick leave earned by the employee. The employee must be treated for all purposes as if they were absent on earned sick leave. The estate of a deceased state employee is not entitled to payment for unused time withdrawn by the employee from the family leave pool.

Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- The TEA will adopt a policy and system conforming to the statute that establishes and administers the leave pool.

House Bill 3130

Relating to state agency contracts for Internet application development.

Author: Representative Giovanni Capriglione
Sponsor: Senator Angela Paxton



Bill Summary:

[House Bill 3130](#) (HB 3130) requires the TEA and other state agencies to report to the Department of Information Resources if the agency is bidding out the development of a mobile application that will duplicate an internet portal the agency already has in place. This bill applies to TEA contracts but has no impact on school districts or open-enrollment charter schools.

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Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

Senate Bill 44

Relating to leave for state employees who are volunteers of certain disaster relief organizations.

Author: Senator Judith Zaffirini

Sponsor: Representative Jeff Leach



Bill Summary:

[Senate Bill 44](#) (SB 44) grants state employees who volunteer for an organization that is part of the Texas Voluntary Organizations Active in Disaster up to ten days of leave to support disaster relief efforts without a reduction or loss in leave or state compensatory time. The employee can take leave to volunteer only if the employee's supervisor approves of the leave and the services for which the employee will be volunteering are provided as part of a state of disaster declared by the governor.

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Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

Senate Bill 220

Relating to notice and reporting requirements for vendor rebates under a contract listed on a multiple award contract schedule.

Author: Senator Judith Zaffirini
Sponsor: Representative John Smithee



Bill Summary:

[Senate Bill 220](#) (SB 220) authorizes the Comptroller of Public Accounts (Comptroller) to collect a rebate from a vendor on a multiple award contract. The bill adds a new requirement for the Comptroller to notify state agencies of the percentage used to calculate the rebate on a purchase made from a multiple award contract. SB 220 also requires the state agency making the purchase to report the rebate to the appropriate federal funding agency.

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Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

Senate Bill 799

Relating to contracting procedures and requirements for governmental entities.

Author: Senator Jane Nelson

Sponsor: Representative Chris Paddie



Bill Summary:

[Senate Bill 799](#) (SB 799), as it relates to the TEA, addresses contracting procedures and requirements in the Government Code, including expanding the definition of Major Information Resources Projects (MIRPs), modifying the dollar thresholds for competitive bidding and Legislative Budget Board (LBB) reporting, and adding procedures for contracting with physicians, optometrists, and registered nurses.

SB 799 requires an entity that enters into certain purchasing contracts valued at \$25,000 or more to document a contract-related fee, including management fee, paid by or to the district and the purpose of each fee under the contract.

SB 799 expands the definition of a MIPR to include any information resources technology project of a state agency designated by the State Auditor's Office (SAO) for additional monitoring of contracting processes if the development costs for the project exceed \$5 million. For the TEA, any IT projects falling under the MIPR definition will require LBB approval and Quality Assurance Team (QAT) approval and may include quality assurance (QA) requirements.

SB 799 increases the number of days to notify the LBB of major information system projects from 10 days to 30 days post-contract execution. The bill defines a "major information system" project as a project with a total cost of over \$100,000 for computers, services related to computers and computer software, and or telecommunications equipment. The bill also expands the Department of Information Resources' (DIR) oversight responsibilities for MIRPs. A state agency with a project subject to oversight as described by the bill must pay for that oversight based on a funding model developed by DIR. SB 799 also adds criteria a state agency must include in requests for proposals (RFPs). In addition to factors other than price, a state agency must consider best value criteria and specify what criteria the agency will use when considering best value factors.

SB 799 expands state agency purchasing authority. The bill increases delegated authority for purchases of goods and services from \$15,000 to \$50,000, increases the amount the Comptroller of Public Accounts may delegate by rule from purchases over \$15,000 to purchases over \$50,000, and increases competitive bidding requirements from contracts over \$5,000 to contracts over \$10,000. For purchases over \$25,000 (previously \$15,000), an agency must solicit bids or proposals from each eligible vendor on the master bidders list that serves the agency's geographic region.

SB 799 revises the circumstances under which a state agency may purchase IT commodity items for DIR and sets a new cap for a commodity contract at \$10 million. Furthermore, the bill raises the LBB reporting threshold for professional services contracts from \$14,000 to \$50,000 and increases the number of days to notify the LBB of profession services contract from 10 days to 30 days post-contract execution. Additionally, SB 799 charges the Comptroller of Public Accounts to provide instructions to agencies related to certain procurement areas such as establishing procurement procedures and outlining procurement training.

Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

House Bill 375

Relating to the prosecution of the offense of continuous sexual abuse of young child or disabled individual; creating a criminal offense.

Author: Representative Reggie Smith
Sponsor: Senator Judith Zaffirini



Bill Summary:

[House Bill 375](#) (HB 375) creates the criminal offense of continuous sexual abuse of a disabled individual in the Texas Penal Code. HB 375 makes multiple conforming amendments including in [Chapter 37 of the Texas Education Code](#).

Due to the changes in this legislation, there will be minor updates to the Texas Student Data System (TSDS). For local education agencies, there is no change to what is reported or the manner in which data is reported to the TEA, but there is a change to existing terminology in the data standards due to HB 375. Schools may also wish to update their student code of conduct as well as any of their local documentation or forms to reference the new terminology.

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Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- TEA will update terminology in the data standards to reflect the changes made by this bill.

House Bill 1247

Relating to the development of and report on a tri-agency work-based learning strategic framework by the Texas Workforce Commission, the Texas Education Agency, and the Texas Higher Education Coordinating Board.

Author: Representative Jose Lozano

Sponsor: Senator Beverly Powell



Bill Summary:

[House Bill 1247](#) (HB 1247) directs TEA, the Texas Higher Education Coordinating Board (THECB), and the Texas Workforce Commission (TWC) to develop a “Tri-Agency Work-based Learning Strategic Framework” and submit a report on the framework to the legislature.

The strategic framework as required by HB 1247 must encourage work-based learning in Texas. TEA, THECB, and TWC must each appoint an existing agency employee to lead the development of the framework. By December 31, 2022, the three agencies are required to submit a joint report to the legislature on the work-based learning program. The report is required to do the following:

- Define “work-based learning opportunity” in a comprehensive manner that includes a variety of high-quality and rigorous work-based learning opportunities, such as youth apprenticeships, internships, simulated workplaces, service learning, and virtual workspaces;
- Determine common language, definitions, and quality standards to be used in each agency for work-based learning opportunities that span secondary and postsecondary education;
- Establish methods of identifying student and adult learner skills and competencies that are aligned with industry demand and talent needs, with a particular focus on high-demand, high growth industries that offer livable wages;
- Align priorities, programs and goals across the agencies to ensure the development of cohesive work-based learning strategies that strengthen workforce pipelines;
- Identify strategies for the agencies to partner with public primary and secondary schools, public institutions of higher education (IHEs), businesses, workforce organizations, and relevant collaboratives to implement high-quality project-based learning in middle and junior high school classrooms and work-based learning experiences in high school and postsecondary education;
- Provide methods of supporting partnerships between public IHEs to create additional pathways for postsecondary work-based learning credentials of value to high-demand, high-growth industries and that lead to quality career opportunities;
- Articulate the roles and responsibilities of public primary and secondary schools, public IHEs, and workforce boards and organizations in implementing high-quality work-based learning programs and partnerships;
- Provide a strategy for identifying industry-led high-quality training models that promote and replicate high-need jobs that lead to equitable outcomes for individuals and can be scaled across industries and regions;
- Identify opportunities to improve and incentivize regional coordination across the state to better reflect regional workforce needs and eliminate duplicative programs, including by providing state support to build capacity in regional intermediary organizations to facilitate education workforce partnerships and programs;

Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- The TEA, THECB, and TWC must jointly prepare and submit a report to the legislature on work-based learning by December 31, 2022.

House Bill 1247

Relating to the development of and report on a tri-agency work-based learning strategic framework by the Texas Workforce Commission, the Texas Education Agency, and the Texas Higher Education Coordinating Board.

Author: Representative Jose Lozano

Sponsor: Senator Beverly Powell



- Identify streamlined data collection models for primary, secondary, and postsecondary education and workforce accountability that can be disaggregated as necessary to evaluate and increase equity in access to high-quality programs, with a focus on underrepresented populations;
- Provide recommendations to improve coordination of funds and awarding of grants among the agencies to eliminate barriers to entry for regional partners; and
- Identify available federal funds that may be used for work-based learning and training and include recommendations regarding the use of those funds by agencies, including supporting incentives for public institutions of higher education, work-study programs, and student advising and completion strategies.

After the report is submitted and as soon as is practicable, the TEA, THECB, and TWC shall implement the recommendations made for the identification and use of federal funds.

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House Bill 3767

Relating to measures to support the alignment of education and workforce development in the state with state workforce needs, including the establishment of the Tri-Agency Workforce Initiative.

Author: Representative Jim Murphy
Sponsor: Senator Paul Bettencourt



Bill Summary:

[House Bill 3767](#) (HB 3767) establishes the Tri-Agency Workforce Initiative, consisting of the TEA, the Texas Workforce Commission (TWC), and the Texas Higher Education Coordinating Board (THECB), in order to codify and support career and technical education (CTE) programs, give the public information regarding workforce data and education pathways, and provide information that will allow policymakers the ability to regularly evaluate state efforts towards state workforce development goals.

The TEA, TWC, and THECB are required to enter into one or more interagency agreements establishing policies and processes for sharing and matching relevant data and cooperatively managing education and workforce information collected by each respective agency. HB 3767 charges the THECB to develop a strategic plan for the operation of a unified repository for education and workforce data. In developing the plan, the THECB must solicit input from TEA, TWC, and relevant stakeholders. The bill requires the commissioners of education and higher education and the chair of the TWC to jointly develop and post online the state workforce development goals and coordinated interagency strategies for achieving those goals. The TEA, THECB and TWC must hold an initial discussion as required by HB 3767 by October 1, 2021. The three agencies must develop the initial state workforce development goals by January 31, 2022 and must develop the initial strategies by April 30, 2022. Furthermore, the agencies are required to post performance measures and progress towards meeting those goals and objectives online and allow for public comment on the work of the Tri-Agency Workforce Initiative

The workforce development goals must be developed in consultation with employers. In consultation with employers, the commissioners of education and higher education and chair of the TWC must jointly update the state workforce development goals and strategies at least every four years. Additionally, each agency must designate and update every two years a list of career pathways that includes target occupations which include current needs that exist in one or more regions of the state as reflected in regional workforce assessments and critical career pathways that reflect the best statewide data and forecasts of skills and careers for which demand in the state is expected to grow. The THECB and TWC must jointly establish a publicly accessible web-based library of credentials delivered, issued, funded, or governed by the state; aligned with recognized skills and industry standards; available to residents of the state; and used by employers in the state. THECB and TWC must solicit input from the TEA and relevant stakeholders.

The TEA and THECB must make available to each public school and institution of higher education information on the success of students previously enrolled in a career education and training program offered by the school or institution with respect to critical student outcomes. HB 3767 requires the agencies to jointly determine for each county the wage based on a common standard that reflects the regionally adjusted minimum employment earnings necessary to meet a family's basic needs while also maintaining self-sufficiency.

Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- The TEA will become part of the Tri-Agency Workforce Initiative, along with the THECB and TWC.

Senate Bill 288

Relating to preventing the loss of benefits of and the payment of certain employer contributions for certain retirees of the Teacher Retirement System of Texas who resume service.

Author: Senator Kel Seliger

Sponsor: Representative Gene Wu



Bill Summary:

[Senate Bill 288](#) (SB 288) provides opportunities for retired teachers to work for school districts as tutors without penalty to their pension or requiring contribution to the Teacher Retirement System (TRS). SB 288 prevents the withholding of a monthly benefit payment if the retiree is employed to perform duties related to mitigating student learning loss due to the COVID-19 pandemic if the position is in addition to the normal staffing level, funded entirely by federal COVID-19 relief funds, and ends on or before December 31, 2024. This provision does not apply to disabled retirees. SB 288 also includes provisions that revise certain sanctions for retirees who violate the employment after retirement provision, including requiring the TRS to issue a written warning to the retiree. TRS may only issue a financial penalty after a subsequent violation or violations following the written warning.

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Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.
- A retiree should contact the TRS to ensure that they are following all guidelines before entering work for a local education agency.

Senate Bill 1356

Relating to the participation by members of nonprofit teacher organizations in a tutoring program for public school students and related retirement benefits for certain tutors participating in the program.

Author: Senator Bryan Hughes

Sponsor: Representative Harold Dutton



Bill Summary:

[Senate Bill 1356](#) (SB 1356) allows members of non-profit organizations to provide tutoring services to public school K-12 students on an individual or small-group basis. A district or charter's superintendent, chief executive officer, or chief executive officer designee will oversee the tutoring program within the district. The person overseeing the tutoring program must report to their school board or governing body the number of teachers who offered tutoring services and the number of teachers who provided services as either a volunteer or employee.

SB 1356 allows retired teachers who provide tutoring services to be excluded from Teacher Retirement System (TRS) benefits-withholding. SB 1356 also requires the non-profit organizations and public schools to work with the tutors to provide them guidance on the program and place them in tutoring opportunities on campus or online.

The bill allows non-profit organizations participating in the tutoring program with the same level of access to the Do Not Hire Registry as private and public schools so they may verify individuals by personal identifiers, such as date-of-birth or Social Security Numbers. A person is prohibited from tutoring if they are listed on the Do Not Hire Registry. SB 1356 applies at the beginning of the 2021-2022 school year.

Impact of Legislation

Effective Date:

- June 16, 2021

Rulemaking:

- Commissioner of Education rules related to the registry of person's not eligible for employment in public schools ("Do Not Hire Registry") will be amended to reflect the changes made by this bill.

Other Actions Required:

- The TEA must provide non-profit organizations, approved by the commissioner, with access to the Do Not Hire Registry.

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House Bill 3643

Relating to the creation of the Texas Commission on Virtual Education.

Author: Representative Ken King
Sponsor: Senator Larry Taylor



Bill Summary:

[House Bill 3643](#) (HB 3643) establishes the Texas Commission on Virtual Education (“commission”) to develop recommendations for legislative action regarding the delivery of and funding for virtual education. The commission consists of 13 members appointed by the Governor, Lieutenant Governor, the Speaker of the House of Representatives, and State Board of Education (SBOE) Chair.

HB 3643 requires the commission to develop recommendations to address issues related to delivery of and funding for virtual education, including alternative instructional delivery methods and methods of funding. The commission may establish one or more working groups composed of not more than five commission members to study, discuss, and address specific policy issues and recommendations for consideration by the commission. The commission is permitted to hold public meetings as needed to fulfill its duties. The TEA will provide administrative support to the commission.

The commission’s recommendations for legislative action to improve virtual education implementation must be shared in a report by December 31, 2022. The commission will be abolished when these provisions expire on January 1, 2023.

Impact of Legislation

Effective Date:

- June 15, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this legislation.

Other Actions Required:

- The TEA will provide administrative support to the commission.

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Senate Bill 348

Relating to parental access to public school virtual instruction and instructional materials for virtual and remote learning.

Author: Senator Lois Kolkhorst
Sponsor: Representative Jacey Jetton



Bill Summary:

[Senate Bill 348](#) (SB 348) expands a parent’s rights and entitles a parent to review any teaching and instructional materials or other teaching aids used in the classroom including while the child is participating in virtual or remote learning. The bill also entitles a parent to observe virtual instruction while the parent’s child is participating in virtual or remote learning to the same extent the parent would be entitled to observe in-person instruction of the child.

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Impact of Legislation

Effective Date:

- June 14, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

Senate Bill 481

Relating to the entitlement of certain public school students to transfer to a school district offering in-person instruction.

Author: Senator Lois Kolkhorst

Sponsor: Representative Mike Schofield



Bill Summary:

[Senate Bill 481](#) (SB 481) permits a student enrolled in a school district to transfer for the current school year from that district to another school district that offers in-person instruction, if the current district only offers virtual instruction for any part of the school year. Funding for the education of the student will flow to the receiving district via average daily attendance, and the receiving district cannot charge tuition to the transferring student. SB 481 applies to a student's current school district that provides notice of its intent to switch to fully remote instruction for more than one grading period and further provides that the receiving district must agree to accept a transferring student. The bill takes effect beginning with the 2021-2022 school year.

Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- Commissioner of Education rules on school finance will be amended to reflect the changes made by this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

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House Bill 30

Relating to educational programs provided by the Windham School District in the Texas Department of Criminal Justice for certain inmates.

Author: Representative James Talarico
Sponsor: Senator John Whitmire



Bill Summary:

[House Bill 30](#) (HB 30) requires the Windham School District to provide a course of instruction that includes the required curriculum leading to a standard high school diploma for consideration to each incarcerated student who is younger than 18 years of age or younger than 22 years of age if that student is receiving special education services.

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Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- The Texas Board of Criminal Justice is granted permissive rulemaking authority.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

House Bill 4279

Relating to the eligibility of the Windham School District to participate in the Jobs and Education for Texans (JET) Grant Program.

Author: Representative Alex Dominguez
Sponsor: Senator Juan “Chuy” Hinojosa



Bill Summary:

[House Bill 4279](#) (HB 4279) establishes eligibility for the Windham School District to participate in the Jobs and Education for Texans (JET) grant program administered by the Texas Workforce Commission (TWC), following the same requirements applicable to school districts that participate in the program. HB 4279 adds a new consideration for awarding grants under the program: whether the program offers new career and technical education opportunities not previously available to students enrolled at any campus in the Windham School District. The bill does not directly impact the TEA except to the extent that funding for the program flows through the TEA’s appropriations bill pattern.

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Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

House Bill 2497

Relating to the establishment and duties of the Texas 1836 Project.

Author: Representative Tan Parker
Sponsor: Senator Brandon Creighton



Bill Summary:

[House Bill 2497](#) (HB 2497) establishes the Texas 1836 Project, a nine-member advisory committee appointed by the governor, lieutenant governor, and speaker of the house to promote patriotic education and increase awareness of Texas values. Patriotic education, as defined by HB 2497, includes the presentation of the history of Texas's founding and foundational principles, an examination of how Texas has grown closer to those principles throughout its history, and an explanation of why commitment to the principles is beneficial and justified. The bill requires the TEA to provide funding and administration for the committee.

The 1836 Project is required to advise the governor on the core principles of the founding of Texas and how the principles further enrich the lives of its residents. The bill also requires the 1836 Project to facilitate the development and implementation of the Gubernatorial 1836 Award to recognize student knowledge of Texas Independence, including Texas history, the Texas War for Independence, the annexation of Texas by the United States, Juneteenth, the founding documents and founders of Texas, state civics, and the role of this state in passing and reauthorizing the federal Voting Rights Act of 1965. HB 2497 also requires the 1836 Project to advise state agencies as appropriate and consistent with applicable law.

HB 2497 requires the committee to develop a Texas 1836 pamphlet and charges the Texas Department of Public Safety (DPS) to distribute the pamphlet. In addition, the bill requires that, no later than September 1, 2022, the 1836 Project to prepare a written report describing the activities, recommendations, methods for carrying out the project's duties and proposals for legislation. The TEA must make the reports available to the public on the agency's website.

Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- The TEA must administratively support the committee that makes up the Texas 1836 Project.
- The report as required by HB 2497 will be produced and made available on the TEA website no later than September 1, 2022.

House Bill 3607

Relating to nonsubstantive additions to, revisions of, and corrections in enacted codes, to the nonsubstantive codification or disposition of various laws omitted from enacted codes, and to conforming codifications enacted by the 86th Legislature to other Acts of that legislature.

Author: Representative Jeff Leach
Sponsor: Senator Nathan Johnson



Bill Summary:

[House Bill 3607](#) (HB 3607) makes nonsubstantive additions to, revisions of, and corrections to the Texas Education Code affecting the TEA, public schools, and public education, as well as conforming codifications enacted by the 86th Legislature to other acts of that legislature affecting the same. Article 5 of HB 3607 lists changes made to the Texas Education Code, which include but are not limited to:

- Correcting references within the Texas Education Code to other sections of code, such as the Health and Safety Code as it pertains to mental health professionals in public schools;
- Clarifies school-charter partnership funding in Section 48.252;
- Repeals Section 21.410 relating to the Master Teacher Grant Program to reflect the program's repeal through legislation passed during the 86th Legislative Session; and
- Amends Section 48.115 to reflect the redesignation of Section 42.168 as Section 48.115 and correcting terminology to reflect school finance changes made by the 86th Legislature in House Bill 3).

Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this legislation.

Other Actions Required:

- No additional TEA actions are required to implement this legislation.

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Senate Bill 746

Relating to requiring the parent of a student enrolled in a school district to provide and update a parent's contact information.

Author: Senator Borris Miles

Sponsor: Representative Harold Dutton



Bill Summary:

[Senate Bill 746](#) (SB 746) requires parents to provide in writing their address, phone numbers, and email addresses to the school districts in which their children enroll upon enrollment and no later than two weeks after each school year begins. SB 746 also requires that parents provide contact information updates to the districts within two weeks of any changes during the school year. The provisions of SB 746 apply beginning with the 2021-2022 school year.

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Impact of Legislation

Effective Date:

- June 14, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

Senate Bill 788

Relating to the development of model data-sharing agreements for sharing certain student information between public schools, public and private institutions of higher education, and other entities.

Author: Senator Brandon Creighton

Sponsor: Representative Donna Howard



Bill Summary:

[Senate Bill 788](#) (SB 788) directs the TEA, the Texas Higher Education Coordinating Board (THECB), and the Texas Workforce Commission (TWC) to jointly develop and make available a model data-sharing agreement that public schools may use for sharing student information with public and private postsecondary educational institutions. The bill includes specific provisions that model data-sharing agreements include, as applicable, provisions intended to meet the audit/evaluation, and school official exceptions under the Family Educational Rights and Privacy Act (FERPA) for release of student data.

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Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- TEA is required to jointly produce a model data-sharing agreement with THECB and TWC that public schools may use to share student information with public and private postsecondary educational institutions.

Senate Bill 970

Relating to the repeal of certain provisions related to health and human services.

Author: Senator Lois Kolkhorst

Sponsor: Representative Matt Shaheen



Bill Summary:

[Senate Bill 970](#) (SB 970) repeals sections of various codes including Section 38.064 of the Texas Education Code which required the Department of State Health Services (DSHS) to issue a report to the legislature pertaining to school-based health centers in the state. This bill also repeals Section 168.010 of the Health and Safety Code, which required a diabetes intervention pilot program for school districts located along the Texas-Mexico border.

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Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.

Senate Bill 1123

Relating to the issuance of Family First specialty license plates.

Author: Senator Charles Perry

Sponsor: Representative Matt Krause



Bill Summary:

[Senate Bill 1123](#) (SB 1123) creates a new specialty license plate and directs the proceeds from the license plate sales to a grant program administered by the TEA for the benefit of a nonprofit organization that promotes fatherhood in Texas.

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Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- The TEA will administer a grant program for the benefit of nonprofit organization that promote fatherhood in Texas.

Senate Bill 1677

Relating to eliminating certain reporting and posting requirements for public institutions of higher education and other state agencies and the requirement for a plan by certain school districts to increase enrollment in public institutions of higher education.

Author: Senator Dawn Buckingham

Sponsor: Representative John Frullo



Bill Summary:

[Senate Bill 1677](#) (SB 1677) allows the Texas Higher Education Coordinating Board (THECB) commissioner to accept alternative sources or methods for meeting Institutions of Higher Education (IHEs) reporting requirements to the THECB. SB 1677 affects school districts through the repeal of [Section 29.904](#) of the Texas Education Code which previously required a school district in the lowest 10 percent of high schools in the state in the percentage of students graduating and enrolling in an IHE, to establish a plan with the closest IHE to increase enrollment in postsecondary education. With the repeal of this section, impacted school districts will no longer have to develop plans with IHEs to increase enrollment and report on the implementation of their plans.

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Impact of Legislation

Effective Date:

- September 1, 2021

Rulemaking:

- No Commissioner of Education, State Board of Education, or State Board for Educator Certification rulemaking will be needed to implement this bill.

Other Actions Required:

- No additional TEA actions are required to implement this bill.