

Summary of CSSB 2 of the 79th First Called Session
differences from Senate version of CSHB of the 79th Regular Session

Finance Formulas and Property Tax	
School Finance Formulas	
Accreditation Allotment	Set at \$4600/ADA.
Weights vs. Dollars	This includes the house structure modified. This means weights were converted to dollar amounts but on comp ed, bilingual, and special education minimum percentages are included to link the adjustment to the accreditation allotment.
<i>Specifics of the Student Adjustment Weights:</i>	
Special Education	Weights converted to dollar equivalents and minimum percentage linked to accreditation allotment.
Compensatory Education	Weight converted to \$877 per eligible student. Includes a minimum funding weight of 19% of the accreditation allotment. Eligibility is based on current law. Retains funding for teen pregnancy and students in residential housing.
Bilingual Education	Weight converted to dollar amount with increases to bilingual funding. \$500 for grades below 9 and \$1000 for grades 9-12. Minimum percentage of 10.86 percent for below 9th grade and 21 percent for 9-12 of the accreditation allotment. This represents an increase of funding over current law.
Career and Technology	Funded on a per credit hour basis instead of an FTE basis at \$178/credit hour. Time in classroom qualifies for regular program funding (current law it does not). Includes a pilot program of 5 districts to extend coverage to 8th grade and report on its impact on student achievement. NOTE: This bill retains current law eligibility of 9-12. House moved to 7-12.
Public Education Grant	Provides \$250/ADA.
Gifted and Talented	Provides \$526/ADA.
Maintenance of Effort	Districts only have to spend the amount per student on special programs (Special Education, Comp Ed, Bilingual, CATE, and Gifted and Talented) as they did in 04-05.
Transportation	\$1.50 per approved route mile. This replaces the current law linear density groupings.
NIFA	Provides an additional \$125 per student for fast growth districts, extends eligibility to three years.
Local Enrichment	5 cents a biennium, 15 cents maximum. Voter approval for each increase. With a 2/3 vote, the full 15 cents would be accessible.
Guaranteed Yield	Phases into the 98th percentile. FY 07 and FY 08 set at 92%, FY 09 and FY 10 set at 93%, then goes up 1% a year thereafter.
Cost of Education Index	Phases in an update over 4 years. Applied at 50%. Includes a bracket that ensures the range of separation between the top and bottom district remains constant.
Small and Mid-Size	Phases in an update to the small and midsize adjustments over eight years. CEI and Scale are multiplicative as under current law.
Recapture	Recapture above entitlement.

Hold Harmless	Guaranteed 3% over what the district would have received in 2006. Districts receive additional funds if needed to provide salary increases. Limits maximum gains by a district to 8% additional per year for the first three years.
Property Tax	
Tax Rate	Sets the maximum tax rate at \$1.20 in 06 and \$1.15 in 07.
Tax Compression	Requires an across the board reduction of tax rates by a set percentage (Approximately 20% in 06 and 23% in 07).
Additional Items	
Facilities Study	Requires LBB and TEA to study the existing facility infrastructure.
Social Security	Requires the state to pay 50% of the costs incurred for social security.
Article 2 - Education Excellence	
Part A - Education Employees	
Teacher Pay Increase	Districts are required to provide a \$2500 across-the-board pay increase to all teachers, counselors, nurses, and librarians from the new funds they receive (\$1000 of which is the restoration and conversion of the pass-through). Then districts are required to provide an additional pay increase, to be distributed at their discretion, that averages \$500 among educators. For a total average pay increase of \$3000 per teacher.
Educator Excellence Incentive Program	Establishes educator incentives with plans developed by local districts and approved by commissioner. An amount equal to at least 1% of district's professional payroll must be used to provide incentives. Part of the amount above may be used to encourage teachers serve high populations of disadvantaged students, certification shortage areas, or as mentors. Plan may reward individuals, campuses, or teams. Primary criteria must be objective measures of student achievement that provides awards for high achievement or growth, or both. Other indicators may be used.
<i>Items from the House new to the Senate side:</i>	
Temporary Certificate for Superintendent or Principal	Allows for the creation of a temporary certificate for administrators at the campus and district level. Candidates must have at least a bachelor's degree, pass the certification exam, and have significant management experience.
State Policy Regarding Teacher Compensation Above Minimum Salary Schedule	Makes the statement that it is the policy of the state that districts may compensate above the minimum pay scale based on the teacher's ability to improve academic achievement among students, and when determining compensation may and should consider ability, grade level and subject assigned, skills required, and the school they are assigned to.
Liability Insurance for Teachers	Provides professional liability insurance to all teachers.
<i>Items the same or only slightly modified as passed by Senate</i>	
School Leadership Pilot Program for Principals Educator Preparation Program Accountability Hearing for Certain Discharges Under Probationary Contract Hearing for Certain Discharges Under Term Contract Mentors Speech-Language Instruction; Assistants	

Part B. State and Regional Governance

Items from the House new to the Senate side:

Education Research Centers; Sharing Student Info.	Allows for the establishment of 3 centers for education research as a part of TEA, THECB, or a public institution of higher education that allows for the sharing of student information in a manner that complies with FERPA and lessens the burden on the agency to release encrypted data; requires certain amount of research to be shared with the state.
Training for Members of ESC Board of Directors	Requires the commissioner to prescribe training to those serving on the board of directors of a service center, similar to the training requirements for school board trustees.
Special Education Hearing Officer: Conflict of Interest Provisions	Prohibits hearing officers from presiding over a hearing over which a they have otherwise received employment or compensation from one of the parties involved.

Items the same or only slightly modified as passed by Senate:

TEA Sunset
 PEIMS
 Electronic Student Records System
 Performance Based Monitoring System
 Administrative Efficiency
 Information Regarding Special Education Due Process Hearings

Part C. School District Governance and Other Operations

Items added in Senate Committee:

School Board & Superintendent Duties	SB 777 from the 79th Regular Session, defines specific duties and responsibilities for school board trustees and superintendents.
JJAEP Transportation	Allows districts to contract with JJAEPs for transportation of students along with commercial and transit authorities.

Items from the House new to the Senate side:

Removal for Failure to Attend Board Meetings	Establishes a ground for removal from the board of trustees for failure to attend more than half of the regularly scheduled meetings.
Electronic Notice for Public Hearings or Meetings Permitted	Allows notice for public hearings, meetings, and bids to be made on the internet.
Assignments and Transfers in Discretion of Governing Board	Prohibits moving a student between classrooms in order to satisfy the teacher student limit. No waiver required.
UIL Eligibility of Students Participating in Joint Credit or Concurrent Enrollment Programs	Explicit statement that enrollment in dual credit courses does not make a student ineligible for extracurricular or UIL activities.

Items the same or only slightly modified as passed by Senate:

Statewide Funds Management Information System For At-Risk Student Services
 First and Last Day of Instruction
 Consolidated Funding for Programs and Services for Students at Risk of Dropping Out
 Cost-Outcome Analysis
 Superintendent conflict of interest

Part D: Accountability

Similar provisions in both bills where compromise was reached:

College Preparation Assessments & College Entrance Exam assessments

College preparatory exams are required in two grade levels of the district's choosing between grades 7-11. College entrance exams such as the ACT or SAT will be funded by the state for any student who wishes to take one.

Sanctions for Academically Unacceptable & Certain Other Campuses/ Technical Assistance and Campus Intervention

If a school will be rated unacceptable, a campus intervention team is assigned to develop an improvement plan over the summer to be implemented the next year. After two years rated unacceptable, the campus is reconstituted. If the reconstitution/ improvement plan are not appropriately implemented, commissioner may use other options such as alternative management or closure.

Items from the House new to the Senate side:

End-of-course assessments

Addition of end-of-course exams in Algebra I and Algebra II. Assessments are not linked to course credit and do not serve as accountability measures.

Applicability of Title to Exemplary Districts and Campuses

Districts or campuses rated exemplary are only subject to the restrictions that apply to open enrollment charter schools. But, may not exempt employee benefits and rights.

PEG Eligibility (AYP)

Allows failure to meet AYP to qualify for a PEG grant, not just low performance (as in current law).

Items the same or only slightly modified as passed by Senate:

- Measure of Incremental Growth in Student Achievement
- Criminal Penalties for Cheating on TAKS
- Public Access to PEIMS Data
- Best Practices Clearinghouse
- Optional Flexible School Day
- Accreditation
- Academic Accountability System
- Measure of Postsecondary Preparation
- State Incentive Program for Improving Student Performance on At-Risk Campus (*now \$100M*)
- Review of Sanctions for Campuses Serving Residential Facilities
- Report to Legislature
- Direct & Indirect Instructional Costs

Part E. Instructional Materials

Items for discussion:

Instructional Materials Allotment and Target Tech Program	Implements a Target Tech Program in '07-'08 which requires a district to focus on upgrading technology use. Increases the tech allotment from \$30 to \$50 for '05-'06, \$50 for '06-'07. In '07-'08, the instructional materials allotment is \$150, \$60 is reserved for Target Tech Program. In addition, expands TIP for exiting 8th graders at \$35M.
SBOE's role & Adoption cycle	The adoption cycle is a mainstay that ensures every subject and its curriculum is updated to meet changing standards. Core subjects are reviewed and updated every 6 years while enrichment subjects like fine arts and P.E. are done every 8 years. Senate keeps the adoption cycle and keeps SBOE authority as status quo.
Approval List	Retains conforming/nonconforming lists. An instructional material is nonconforming if it meets 51% or more of TEKS objectives but is less than %100.
Funding Source	Senate keeps ASF and Instructional Materials Fund. Every two years, the SBOE determines how much is needed to purchase textbooks. The interest earned from the PSF filters into the ASF which is then deposited in the State Textbook Fund.
Proclamation 2002	CSHB 2 passed by the Senate contains language that honors "existing state contracts" (i.e. Proc.'02); This Senate version contains language to use FSP set-aside monies to fund Proc.'02 =\$295M

Part F. Bilingual Education and Special Education Programs

Items from the House new to the Senate side:

Measure of Progress Toward English Language Proficiency	Develop a measure of progress for LEP students; Allows passage of the English I or II assessments to satisfy criteria to transfer a student out of bilingual programs.
---	--

Items the same or only slightly modified as passed by Senate:

- Dual Language Education Pilot
- Dual Language Education Teacher Certification
- Master Language Teacher Certification
- Notice of Educational Aide Tuition Exemption
- Evaluation of Transferred Students; reenrollment

Part G. High Academic Achievement Programs

Items from the House new to the Senate side:

Texas Governor's Schools	A summer residential program that can include mathematics/science, humanities and leadership.
Indicators Relating to High Academic Achievement	Establishes criteria for achieving exemplary status other than those already listed under academic excellence indicators; Bases exemplary status on disaggregated percentage of GT students, student results on AP and IB exams, ACT/SAT, and nationally recognized norm-referenced tests, number of students enrolled in advanced courses, number of students reaching commended performance status on TAKS, how many students complete the recommended or advanced tracks, how many students enroll in higher education.
Annual Report of a District's Educational Performance	Requires districts to report information concerning achievement on high academic indicators.

Part H. Pre-Kindergarten Programs

Items from the House new to the Senate side:

Pre-Kindergarten Programs	Before implementing a pre-K program a district must look into sharing sites and coordinating programs with existing child care programs; allows commissioner to adopt rules relating to fostering school readiness in programs receiving state funds.
---------------------------	---

Part I. School Discipline

Items the same as passed by Senate:

Right to Prompt Notice of Disciplinary
DAEP Monitoring

Part J. Criminal History Records Information

Items the same as passed by Senate:

Collection of Fingerprints Required
Access to Criminal History Records by State Education Authorities
Discharge of Employees Convicted of Offenses

Part K. Health and Safety

Items added in Senate Committee:

Self-Administration of Prescription Asthma or Anaphylaxis Medicine by Students	SB 221 from the 79th Regular Session, allows a student to carry, possess, and administer their prescription anaphylaxis medicine while on school property.
--	--

Items the same as passed by Senate:

Funding for Safety or Lap Belts

Part L. School Safety

Items the same as passed by Senate:

Safety Regulations for Certain Extracurricular Activities

Article 3 - Conforming Amendments

Article 4 - Charter Schools

Items the same as passed by Senate with technical changes

Article 5-6 Reserved

Article 7- Abolishment of State Board for Educator Certification; Transfer of

Items the same as passed by Senate with two modifications

Adoption of Rules	Currently, rules adopted by the SBEC Board become effective unless they are rejected by 2/3 of the SBOE. This change would require 4/5 of the board to reject the proposed rule.
Educators' Professional Practices	The manner by which teachers are eligible to serve on the professional practices board is determined by the teacher's qualifications rather than their organizational affiliation.

Article 8- Driver and Traffic Safety Education

Items added in Senate Committee:

Driver and Traffic Safety Education	From SB 422 (as passed by Senate), transfers the regulation of drivers education programs from the Texas Education Agency to the Department of Licensing and Regulation.
-------------------------------------	--

Article 9- Appropriation for Texas Education Agency

TEA Appropriations	Includes the vetoed TEA appropriations. Legislative Council provided three edits: 1) Remove contingency rider for TEA's continuation since legislation passed continuing TEA; 2) Removed contingency rider regarding SBECs continuation. 3) Reduced the TEA appropriation in the amount reflected in HB 10 for funding of Proclamation 2001.
Blind and Dyslexic Rider	Committee amendment added Recording for the Blind and Dyslexic Through Listening Educational Outreach Program rider that was included in Senate appropriations bill.

Article 10- Repealer; Applicability; Effective Date