



Texas Association of Community Schools

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TACS LEGISLATIVE UPDATE

At our weekly Monday morning legislative committee conference call, Barry pointed out that bills that are just now getting their first hearing are extremely unlikely to pass into law. The intentionally long and winding road for a bill to become a law makes those that don't make headway until late in the session doomed to failure. For the most part, this is a good thing. As each session draws on, I think about the quote hanging up in our office:

"Advice to new legislators: Spend every nickel you can on education. Every nickel you don't spend now will cost dollars in the future for welfare and prisons. Then go home. Please don't pass any more laws."
Former Lt. Governor William P. Hobby, Jr.

The real action now is on the floor of the senate and the house. This update will focus on key education bills that have passed out of the senate or house this week.

SB 463: Continuation of Individual Graduation Committees (IGCs)

On Monday, May 1st, the senate passed HB 463 by a vote of 28-3. The original version of this bill, by public education champion Senator Kel Seliger, removed the sunset provision on Individual Graduation Committees (IGCs), and made them a permanent option for students who have done everything else required to graduate but have not be able to pass one or two EOCs. Senator Seliger's SB 149 last session created the IGC option, but the senate inserted a 2-year time limit, and accordingly, the IGC program is scheduled to expire September 1st, 2017. SB 463 passed out of the Senate Education Committee unanimously on April 19th, 2017, and was placed on the fast track local and uncontested calendar. It was subsequently moved to the regular calendar and Lieutenant Governor Patrick took his sweet time recognizing Senator Seliger (who you will remember voted against SB 3 – vouchers) to bring up the bill. One condition on which the bill would be heard was that a new sunset date be added that only extended the program for 2 years. So, on Monday, Senator Seliger offered an amendment making the IGCs available for two more years, with a new sunset date of September 1st, 2019. One other amendment was added to SB 463 by Senator Rodriguez, which would make IGCs available to students who entered high school before 2011-12 and had been scheduled to graduate under the TAKS system. Both amendments were adopted and the bill passed out of the senate and is on its way to the house. We will keep you posted as this bill moves through the process.

On Wednesday, May 3rd, several important bills were heard and passed on the house floor.

HB 22: Chairman Dan Huberty's bill revising A-F

Representative Huberty introduced HB 22 on the floor by saying that every representative has heard from his or her constituents at home about the newly previewed A-F system and what is wrong with it. (Way to go, TACS members!) He has worked hard with the commissioner, speaker, committee staff, HD Chambers, and other educators on revising the system to be fairer and more meaningful. Representative Huberty outlined major changes in the system, including the move to 3 domains from 5, differentiating a "D" from an "F," reducing reliance on STAAR to 50% in the first two domains, eliminating an overall grade, delaying implementation until 2019, and more. The discussion moved along quickly, and 16 amendments

of the 18 proposed were adopted.

Amendment 1: (Bernal) Makes sure all students are “treated equally,” stripping the provision that gives greater weight to continuously enrolled students.

Amendment 2: (Holland) Adds an indicator allowing a campus or district to get credit in the student achievement domain for offering a program by which a student can earn an associate's degree. Those that don't will not be negatively affected.

Amendment 3: (Hinojosa) Adds the percentage of students who complete an “OnRamps” dual credit course to the student achievement domain.

Amendment 4: (K. King) Corrects dates for implementation of the school climate survey.

Amendment 5: (Bohac) Adds completion of a school character education program to the school climate domain.

Amendment 6: (Stickland) Gives credit to school districts for efforts to improve teacher retention through mentoring and professional development.

Amendment 7: (Wilson) Clarifies school climate domain language related to measuring student participation in health and wellness programs.

Amendment 8: (Biedermann) Requires a third party to administer a teacher engagement survey as part of the school climate survey.

Amendment 9: (Deshotel) Requires disaggregation of student performance data by race, ethnicity, socioeconomic status, and limited English proficiency.

Amendment 10: (Bailes) Requires the commissioner to provide districts with a simple explanation of the accountability measures, methods, and procedures for assigning ratings.

Amendment 11: (Villalba) Requires the commissioner to revoke a charter that has had unacceptable performance in the school progress domain for 3 years. Also allows the commissioner to terminate a district's District of Innovation status for unacceptable performance in the school progress domain for two years in a row.

Amendment 12: (Biedermann) *Withdrawn*

Amendment 13: (VanDeaver) Requires the commissioner and stakeholders to develop standardized language to describe each domain.

Amendment 14: (Shine) Requires the commissioner to determine the feasibility of adopting a special education progress indicator (similar to the ELL progress indicator).

Amendment 15: (Blanco) Requires districts and charters with high dropout rates to design a dropout recovery program including CTE courses and/or technology applications courses that lead to industry or career certification and improves eligibility for postsecondary education.

Amendment 16: (Wilson) Requires the commissioner to ensure that A-F ratings are implemented in a manner in which all districts and campuses could mathematically receive an “A.”

Amendment 17: (Isaac) *Withdrawn. (Related to removing STAAR scores from teacher evaluations.)*

Amendment 18: (Thompson) Adds some indicators to the student achievement domain for high-achieving students.

The bill passed third reading on Thursday afternoon with resounding support and a vote of 146-0!

HB 1776: Representative Ashby's bill replaces the U.S. History EOC with the U.S. Citizenship exam

This bill passed with little discussion, except for one representative who expressed concern that U.S. History would no longer be taught. This bill was later rolled into Rep. VanDeaver's HB 515, which eliminated the U.S. History EOC. HB 515 was amended to replace the U.S. History EOC with the U.S. Citizenship exam.

HB 515: Representative VanDeaver's bill that began as test reduction to no-more-than federal testing requirements.

This bill has taken on a life of its own! HB 515 began as a pure test reduction bill, eliminating all state tests beyond what is and had been required under ESSA and NCLB. This included EOCs in English II and U.S. History, writing tests in grades 4, 7, 9, and 10, and the social studies STAAR in 8th grade. The

bill has subsequently morphed into a very different bill. The original version of HB 515 was supported enthusiastically by educators, parents, teachers, minority groups, and pretty much everyone except Texas Aspires, which is the group formed through the merger of Texans for Education Reform (TER) and TIER, and which actively promotes high stakes testing and increasingly punitive accountability measures. The committee substitute made extensive changes to the bill and was voted out in a “formal” committee meeting without opportunity for public testimony or input. While the original bill had a positive fiscal note saving the state \$11 million each biennium, the committee substitute generated a fiscal note from the Legislative Budget Board of \$8 million per year starting in 2021, when the commissioner would roll out a statewide high stakes writing portfolio assessment in grades 4, 7, 9, and 10 based on findings from the extended writing pilot.

There has been little information shared about the revised bill, and the media and others are incorrectly reporting that the original bill passed out of the house. The version of HB 515 that passed the house on second reading on Wednesday, and third reading on Thursday afternoon, included the following:

1. Eliminates one test: 8th grade social studies STAAR
2. Replaces the U.S. History EOC with the U.S. Citizenship exam
3. Eliminates the optional English III and Algebra II EOCs that are now used by a very small number of districts. House Bill 5 made these optional, but stated that they could not be used for graduation, accountability, teacher appraisal, etc. It will save the state money to stop producing these tests.
4. Eliminates the old TAKS test and lets students who were to graduate under that program (before 2012) to take an equivalent STAAR EOC, or “pass” the SAT, ACT, or TSI at a level determined by the commissioner.
5. Moves STAAR testing to the end of the year.
6. Ends retesting for 5th and 8th graders who fail the reading and math STAAR.
7. Establishes “Accelerated Learning Committees” in 3rd, 5th, and 8th grade, in lieu of “Grade Placement Committees” in 5th and 8th grade.
8. Requires an individual accelerated learning plan to support failing students’ efforts to reach grade level the following year.
9. Extends the writing pilot established in the 84th legislative session (HB 1164, VanDeaver) and empowers the commissioner to create and roll out a statewide high stakes timed writing portfolio assessment by 2021.
10. Upon rollout of the statewide portfolio assessment, the 26-line essay will be eliminated.

Representative VanDeaver accepted a few amendments to the bill on the floor. They include:

Amendment 1: (VanDeaver) Requires a superintendent (or his/her designee) to meet with the Accelerated Learning Committee of a student who fails an assessment in the same subject two years in a row.

Amendment 2: (VanDeaver) Requires TEA to modify the writing assessment with input from the districts participating in the writing pilot.

Amendment 3: (Anderson) Was defeated, but would have allowed districts to choose alternative assessments.

Amendment 4: (Ashby) Rolled his HB 1776 and the civics (U.S. Citizenship) exam into HB 515, replacing the U.S. History EOC that was to be eliminated.

Amendment 5: (Huberty) Requires TEA to release assessment questions and answer keys at least every third year.

Amendment 6: (Isaac) Tabled. Would have removed the implementation date of the statewide writing portfolio assessment in 2021. It would have required a review of how the pilot worked before committing to a statewide implementation.

There was confusion on the floor about whether the bill would reduce testing to the minimum required under federal law, and there was support from a wide range of factions to further reduce testing and eliminate the high stakes imposed by Texas. Those issues were left to a future discussion, perhaps during the interim or next session. The bill passed out of the house and will head over to the senate to

await a hearing.

HB 2442: Representative Ken King's bill cleaning up the "minutes" bill

This bill passed without a peep. If you sneezed you would have missed it. It will be moving along to the Senate now! Meanwhile, whenever someone says seventy-five thousand, six hundred minutes, I break into the song from the musical "Rent," "Seasons of Love" where the refrain is 525,600 minutes! It is catchy, but all of those numbers are starting to confuse me!

HB 3976: Ashby's bill preserving healthcare benefits for retired teachers

When Representative Ashby got up to explain HB 3976, members gathered around him to show their support for this bill that subsequently passed the house 143-0. He explained that the house budget provides half a billion dollars towards the TRS-Care shortfall of over a billion dollars. He stressed that this is a "must pass" bill. He outlined some of the provisions, including an increased cost to ISDs and changes in premiums, but said that this bill delivers on a commitment to our retired teachers. He explained that this is not a permanent fix, but one that would get us through 3 years, and hopefully 4. TRTA supports this bill and has worked actively to get something moving to address this crisis.

The soap opera continues. Watching these bills change for the better or the worse is like watching sausage get made. Believe me, it isn't a pretty process! Until next week...when we will be 7 days closer to May 29th!

With great respect and regards,

Laura Yeager
TACS Governmental Affairs