

# Texas

## Lawmaker Outcomes

### Report for Education

April 20, 2019

Purpose – Assist the Texas legislature and public in understanding and improving lawmaking for Texas’ education system through assessment and evaluation of Texas’ lawmaking process.

Ratings either Law-Informed (L I) or Not Law-Informed (**N L I**)

### Law-Informed Lawmaking

Before a new Bill is written or voted on and before a commissioner of education is appointed, the legislators involved know and understand:

- Whether or not laws serving the same purpose as a Bill already exist and
- Whether or not the commissioner of education and the Texas Education Agency are fulfilling their responsibilities in the Education Code.

This report is for students, parents, teachers, principals, superintendents, school board members, Texas Education Agency personnel, commissioners of education, State Board of Education members, State Board for Educator Certification members, legislators, governors, organizations and taxpayers to help them improve the Texas lawmaking process, something that is essential for a sustainable and successful Texas education system.

Comments and concerns welcomed – See back for contact information

Current Lawmaker Outcomes

Rating

**N L I – Not Law-Informed**

Unacceptable or **F**

# Texas

## Lawmaker Outcomes

Report for Education

April 20, 2019

### *Law-Informed Lawmaking Process*

### *Outcomes*

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For comments and questions from the public and  
Texas legislators please email  
[contact@improvetexaschools.org](mailto:contact@improvetexaschools.org)  
Go to [improvetexaschools.org](http://improvetexaschools.org) for more information  
Steve Swanson

# Process, Metrics and Ratings for Assessing Texas' Lawmaking for Education

## Know Existing Laws – Evaluate New Bills

- Know and understand existing Texas laws for governing education in Chapters 7, 11, 21, 26 and 39A of the Texas Education Code (TEC). They've existed for decades and establish the state's responsibilities for:
  - Schools and Districts working with their communities
  - Suicide prevention
  - Violence prevention
  - Serving special education students
  - Conflict resolution
  - Estimating, obtaining, spending and monitoring for the effective use of money to not waste it on not serving the needs of student
- Use knowledge of existing laws to determine:
  - Is the purpose of a proposed Bill already served in existing law?
  - Who is responsible for achieving the purpose in existing law?

## Assess to Improve State's Performance

The performance of the commissioner's, TEA's and campus intervention teams' governance responsibilities are assessed based upon TEC Chapters 7, 11, 21, 26 and 39A and the assessment is seen, understood and used by legislators.

## Rate New Bills as Law-Informed (L I) or Not (N L I)

**L I** – Bill is informed by knowing existing laws. The Bill is not redundant. And the state's performance has been assessed.

**N L I** – Bill is not informed by the existing laws already serving the same purpose of the Bill or an assessment of the state's performance not seen.

### Example of **N L I** Bill

SB 927, Author: Rodríguez, 2017

Caption: Relating to a special education recovery program operated by TEA.

**N L I** because state has responsibilities in Chapter 11, 39 and 39A of TEC for students, including special education, and an assessment of the state's performance not seen. ALSO, Bill being **N L I** and failure of the state and lawmaking process is evidenced by the US Department of Education investigating Texas' special education.

# Texas Law-Informed Lawmaking Education

## WHY

### **Improve Student Achievement**

#### **Improve Effective Use of Resources**

*Including money and community time, talent, tools and facilities.*

#### **Fund Education – Identify a New Source**

*The money that is already funded but not effectively used to serve the needs of students – like money wasted on instructional materials, testing and ineffective programs.*

#### **Serve Needs of Students**

*Needs other than just test scores.*

*Overcome the factors for the low performance of a school.*

#### **Improve the State’s Governance Outcomes for Both Students and Taxpayers**

*State improves fulfilling Texas’ own laws for governing education, which include the performance of state administrators in their responsibilities to support local community stakeholders.*

Laws include:

Chapters 7, 11, 21, 26 and 39A of the Texas Education Code

**Texas becomes #1, the most competitive state  
in the nation in education.**

# Texas Law-Informed Lawmaking Education

## Senate Committee on Nomination’s Consent for Commissioner of Education

Rated **N L I**

When senators on the Committee on Nominations were asked, through Public Information Requests (PIR), for documentation of the last evaluation/assessment they have of the performance of the commissioner of education and agency (TEA) in fulfilling their responsibilities in the Texas Education Code for specific purposes the response was “we have reviewed our files and have found no responsive documents.” See pgs. 19 and 21 for actual PIRs and senate’s responses.

## Examples of New Bills and Existing Law

All Bills Rated **N L I**

To date have not seen a report that legislators have for assessing the commissioner’s and TEA’s responsibilities in serving the purposes noted in this report.

### ❖ Existing Law – State’s Responsibility for Administration

#### ○ For laws in Texas’ Education Code

- ❖ Sec. 7.055. COMMISSIONER OF EDUCATION POWERS AND DUTIES. (b)(1) The commissioner shall serve as the educational leader of the state.
- ❖ Sec. 7.002. TEXAS EDUCATION AGENCY: COMPOSITION AND PURPOSE. (a) The commissioner of education and the agency staff comprise the Texas Education Agency. (b) The agency shall carry out the educational functions specifically delegated under Section 7.021, 7.055, or **another provision of this code.**

## ❖ **New Bills for Healthy Learning**

Suicide prevention

Violence prevention

Mental health

Behavioral health

Recess period

Counseling

Social emotional learning

Discipline

Student data security

Character education

Trauma-informed care

Truancy prevention

Social workers

Cyberbullying

Bullying

School safety and security

### **Laws already exist to serve these purposes.**

#### ○ **SB 364 – N L I**

❖ **Author:** Watson

❖ **Coauthor:** Menéndez

❖ **Caption:** Relating to policies on the recess period in public schools.

❖ **Existing Law:** See **Laws for Healthy Learning – pg. 14**

#### ○ **HB 198 – N L I**

❖ **Author:** Thierry | Bernal | Talarico

❖ **Coauthor:** Goodwin | Israel | Vo

❖ **Caption:** Relating to providing mental health services and mental health education to public school students at school-based health centers.

❖ **Existing Law:** See **Laws for Healthy Learning – pg. 14**

#### ○ **SB 11 – N L I**

❖ **Author:** Taylor

❖ **Caption:** Relating to policies, procedures, and measures for school safety and mental health promotion in public schools.

❖ **Existing Law:** See **Laws for Healthy Learning – pg. 14**

#### ○ **HB 4454 – N L I**

❖ **Author:** Rodriguez

❖ **Caption:** Relating to the adoption of social and emotional learning standards for public school educational programs.

❖ **Existing Law:** See **Laws for Healthy Learning – pg. 14**

#### ○ **HB 2994 – N L I**

❖ **Author:** Talarico | Thierry

❖ **Caption:** Relating to mental health training for public school educators.

❖ **Existing Law:** See **Laws for Healthy Learning – pg. 14**

#### ○ **SB 10 – N L I**

❖ **Author:** Nelson | Alvarado | Bettencourt | Birdwell | Buckingham | Campbell | Creighton | Fallon | Flores | Hall | Hancock | Hinojosa | Huffman | Hughes | Johnson | Kolkhorst | Lucio | Menéndez | Miles | Nichols | Paxton | Perry | Powell | Rodríguez | Schwertner | Seliger | Taylor | Watson | West | Whitmire | Zaffirin

❖ **Caption:** Relating to the creation of the Texas Mental Health Care Consortium.

❖ **Existing Law:** See **Laws for Healthy Learning – pg. 14**

- **HB 3000 – NLI**
  - ❖ **Author:** Talarico | Capriglione
  - ❖ **Caption:** Relating to student data security in public schools.
  - ❖ **Existing Law:** See **Laws for Healthy Learning – pg. 14**
- **HB 3411 – NLI**
  - ❖ **Author:** Allison
  - ❖ **Caption:** Relating to suicide prevention in public school curriculum and certain educational programs concerning suicide prevention and substance abuse prevention.
  - ❖ **Existing Law:** See **Laws for Healthy Learning – pg. 14**
- **SB 1893 – NLI**
  - ❖ **Author:** Taylor
  - ❖ **Caption:** Relating to a trauma-informed care policy for school districts and open-enrollment charter schools.
  - ❖ **Existing Law:** See **Laws for Healthy Learning – pg. 14**
- **SB 1398 – NLI**
  - ❖ **Author:** Seliger
  - ❖ **Caption:** Relating to a behavior improvement plan imposed as a public school truancy prevention measure.
  - ❖ **Existing Law:** See **Laws for Healthy Learning – pg. 14**
- **SB 2282 – NLI**
  - ❖ **Author:** West
  - ❖ **Caption:** Relating to providing mental health services and mental health education to public school students at school-based health centers.
  - ❖ **Existing Law:** See **Laws for Healthy Learning – pg. 14**
- **SB 2003 – NLI**
  - ❖ **Author:** Whitmire
  - ❖ **Caption:** Relating to the establishment of school-based behavioral health centers by school districts and a grant program administered by the executive commissioner of the Health and Human Services Commission for the operation of those centers.
  - ❖ **Existing Law:** See **Laws for Healthy Learning – pg. 14**
- **HB 3429 – NLI**
  - ❖ **Author:** Allison
  - ❖ **Caption:** Relating to the inclusion of instruction about mental health, suicide prevention, bullying, cyberbullying, and harassment in the required curriculum for public school students.
  - ❖ **Existing Law:** See **Laws for Healthy Learning – pg. 14**
- **HB 974 – NLI**
  - ❖ **Author:** Metcalf | Huberty | Allen | González, Mary | Dutton
  - ❖ **Caption:** Relating to public school safety measures and procedures.
  - ❖ **Existing Law:** See **Laws for Healthy Learning – pg. 14**
- **HB 239 – NLI**
  - ❖ **Author:** Farrar | Huberty | Bernal | Talarico

- ❖ **Coauthor:** Allen | Johnson, Julie | Lambert | Minjarez
- ❖ **Caption:** Relating to social work services in public schools.
- ❖ **Existing Law: See Laws for Healthy Learning – pg. 14**
- **HB 2074 – N L I**
  - ❖ **Author:** Wu | Talarico
  - ❖ **Caption:** Relating to the duties of a public school counselor regarding student discipline.
  - ❖ **Existing Law: See Laws for Healthy Learning – pg. 14**
- **HB 17 – N L I**
  - ❖ **Author:** Bonnen, Greg | Metcalf | Thierry | Price
  - ❖ **Coauthor:** Bell, Keith | Button | Lambert | Toth
  - ❖ **Caption:** Relating to public school safety measures and procedures.
  - ❖ **Existing Law: See Laws for Healthy Learning – pg. 14**
- **HB 1496 – N L I**
  - ❖ **Author:** Metcalf | Allen | Bonnen, Greg | Huberty | Dutton
  - ❖ **Caption:** Relating to a notice requirement regarding possible acts of school violence.
  - ❖ **Existing Law: See Laws for Healthy Learning – pg. 14**
- **HB 3235 – N L I**
  - ❖ **Author:** Ramos
  - ❖ **Caption:** Relating to staff development requirements for public educators regarding suicide prevention training.
  - ❖ **Existing Law: See Laws for Healthy Learning – pg. 14**
- **HB 3403 – N L I**
  - ❖ **Author:** Cortez
  - ❖ **Caption:** Relating to addressing workplace bullying in school districts.
  - ❖ **Existing Law: See Laws for Healthy Learning – pg. 14**
- **SB 426 – N L I**
  - ❖ **Author:** Lucio
  - ❖ **Caption:** Relating to the use of public school counselors' work time.
  - ❖ **Existing Law: See Laws for Healthy Learning – pg. 14**  
**See Laws for Cost Management – pg. 18**
- **SB 1390 – N L I**
  - ❖ **Author:** Menéndez
  - ❖ **Caption:** Relating to suicide prevention in public school curriculum and certain educational programs concerning suicide prevention and substance abuse prevention.
  - ❖ **Existing Law: See Laws for Healthy Learning – pg. 14**

## ❖ **New Bills for Special Education**

**Laws already exist to serve this purpose.**

- **HB 4126 – N L I**
  - ❖ **Author:** Howard



- ❖ **Caption:** Relating to a required training course for persons serving as special education representatives and hearing officers at impartial due process hearings.
- ❖ **Existing Law: See Laws for Healthy Learning – pg. 14**
- **HB 2961 – N L I**
  - ❖ **Author:** Huberty
  - ❖ **Caption:** Relating to an allotment under the foundation school program for students with dyslexia or related disorders.
  - ❖ **Existing Law: See Laws for Healthy Learning – pg. 14**  
**See Laws for Schools Working with Communities – pg. 16**  
**See Laws for Cost Management – pg. 18**
- **SB 1452 – N L I**
  - ❖ **Author:** Taylor
  - ❖ **Caption:** Relating to designation of autism innovation zones by the commissioner of education.
  - ❖ **Existing Law: See Laws for Healthy Learning – pg. 14**
- **HB 1199 – N L I**
  - ❖ **Author:** Miller
  - ❖ **Caption:** Relating to public school compliance with dyslexia screening and testing requirements and the reporting of information regarding the number of students who are at risk for or who have dyslexia or a related disorder..
  - ❖ **Existing Law: See Laws for Healthy Learning – pg. 14**
- **HB 1640 – N L I**
  - ❖ **Author:** Martinez
  - ❖ **Caption:** Relating to establishing a pilot program to employ a life skills counselor at public high school campuses in certain counties.
  - ❖ **Existing Law: See Laws for Healthy Learning – pg. 14**
- **HB 3630 – N L I**
  - ❖ **Author:** Meyer
  - ❖ **Caption** Relating to prohibiting the use of certain behavioral interventions on students enrolled in public school who receive special education services.
  - ❖ **Existing Law: See Laws for Healthy Learning – pg. 14**
- **SB 712 – N L I**
  - ❖ **Author:** Lucio
  - ❖ **Caption** Relating to prohibiting the use of certain behavioral interventions on students enrolled in public school who receive special education services.
  - ❖ **Existing Law: See Laws for Healthy Learning – pg. 14**
- **SB 2075 – N L I**
  - ❖ **Author:** Paxton
  - ❖ **Caption** with dyslexia screening and testing requirements.
  - ❖ **Existing Law: See Laws for Healthy Learning – pg. 14**

## ❖ New Bills for Funding or Costs in Education

### Laws already exist for cost management in education.

#### ○ HB 3 – NLI

❖ **Author:** Huberty | Bernal | Zerwas | King, Ken | Allen

❖ **Coauthor:** Allison | Anchia | Anderson, Charles "Doc" | Ashby | Bailes | Bell, Cecil | Bell, Keith | Blanco | Bohac | Bonnen, Greg | Bowers | Buckley | Bucy | Burns | Burrows | Button | Calanni | Canales | Capriglione | Clardy | Cole | Collier | Cortez | Craddick | Cyrier | Darby | Davis, Sarah | Dean | Deshotel | Dominguez | Dutton | Farrar | Fierro | Flynn | Frank | Frullo | Geren | Gervin-Hawkins | Goldman | González, Mary | Goodwin | Guerra | Guillen | Harless | Harris | Hefner | Herrero | Hinojosa | Holland | Howard | Hunter | Israel | Johnson, Eric | Johnson, Julie | Kacal | King, Phil | Klick | Krause | Kuempel | Lambert | Landgraf | Larson | Leach | Leman | Longoria | Lopez | Lozano | Lucio III | Martinez Fischer | Metcalf | Meyer | Meza | Miller | Minjarez | Moody | Morales | Morrison | Muñoz, Jr. | Murphy | Murr | Neave | Nevárez | Noble | Oliverson | Ortega | Pacheco | Paddie | Parker | Patterson | Paul | Perez | Phelan | Price | Raney | Reynolds | Rodriguez | Rose | Rosenthal | Sanford | Shaheen | Sheffield | Sherman, Sr. | Shine | Smith | Springer | Stephenson | Stucky | Swanson | Talarico | Thierry | Thompson, Ed | Thompson, Senfronia | Tinderholt | Toth | Turner, Chris | Turner, John | VanDeaver | Walle | White | Wilson | Wray | Wu | Zedler | Zwiener

❖ **Caption:** Relating to public school finance and public education.

❖ **Existing Law:**

HB 3's EFFICIENCY AUDIT. For ...an investigation of the operations of a school district to examine fiscal management, efficiency, and utilization of resources is **NOT NEEDED**. The Commissioner already has lawful responsibility for effectiveness and efficiency in use of money/costs and resources. The commissioner must start fulfilling their responsibilities.

**See Laws for Cost Management – pg. 18**

Laws for the state supporting campuses and school districts in making effective and efficient use of resources including money.

#### ○ SB 863 – NLI

❖ **Author:** Watson

❖ **Coauthor:** Seliger

❖ **Caption:** Relating to a study of costs associated with dual credit courses offered at public high schools.

**Existing Law: See Laws for Cost Management – pg. 18**

#### ○ SB 4 – NLI

❖ **Author:** Taylor

❖ **Caption:** Relating to public school finance and public education.

❖ **Existing Law: See Laws for Cost Management – pg. 18**

#### ○ HB 199 – NLI

❖ **Author:** Bernal

❖ **Caption:** Relating to permissible uses of the instructional materials allotment.

**Existing Law: See Laws for Cost Management – pg. 18**

**See Laws for Healthy Learning – pg. 14**

#### ○ HB 3179 – NLI

❖ **Author:** Stucky

- ❖ **Caption:** Relating to costs associated with the statewide assessment program of public school students.
- ❖ **Existing Law: See Laws for Cost Management – pg. 18**  
**See Laws for Healthy Learning – pg. 14**
- **SB 2055 – N L I**
  - ❖ **Author:** Menéndez
  - ❖ **Caption:** Relating to funding for comprehensive school counseling programs.
  - ❖ **Existing Law: See Laws for Cost Management – pg. 18**  
**See Laws for Healthy Learning – pg. 14**
- **HB 314 – N L I**
  - ❖ **Author:** Howard | Guillen | Bucy | Morrison
  - ❖ **Coauthor:** Bernal | Blanco | Button | Dominguez | Johnson, Julie | Minjarez | Neave | Ortega | Zwiener
  - ❖ **Caption:** Relating to use of compensatory education allotment funding to provide assistance to students at risk of dropping out of school who are pregnant or who are parents and to reporting through the Public Education Information Management System.
  - ❖ **Existing Law: See Laws for Cost Management – pg. 18**  
**See Laws for Healthy Learning – pg. 14**
- **HB 239 – N L I**
  - ❖ **Author:** Farrar | Huberty | Bernal | Talarico
  - ❖ **Coauthor:** Bernal | Blanco | Button | Dominguez | Johnson, Julie | Minjarez | Neave | Ortega | Zwiener
  - ❖ **Caption:** Relating to use of compensatory education allotment funding to provide assistance to students at risk of dropping out of school who are pregnant or who are parents and to reporting through the Public Education Information Management System.
  - ❖ **Existing Law: See Laws for Cost Management – pg. 18**  
**See Laws for Healthy Learning – pg. 14**
- **HB 2609 – N L I**
  - ❖ **Author:** King, Ken | González, Mary | Bernal
  - ❖ **Caption:** Relating to permissible teachers assigned to a bilingual education program and the permissible uses of the bilingual education allotment provided under the foundation school program.
  - ❖ **Existing Law: See Laws for Cost Management – pg. 18**  
**See Laws for Healthy Learning – pg. 14**
- **HB 2002 – N L I**
  - ❖ **Author:** Leach
  - ❖ **Caption:** Relating to financial reporting by a school district regarding the costs associated with administering certain assessment instruments.
  - ❖ **Existing Law: See Laws for Cost Management – pg. 18**
- **HB 963 – N L I**
  - ❖ **Author:** Bell, Cecil | Bernal | Howard

- ❖ **Caption** Relating to the career and technology education and technology applications allotment and the essential knowledge and skills of the career and technology education and technology applications curriculums.
- ❖ **Existing Law: See Laws for Cost Management – pg. 18**
- **HB 1754 – N L I**
  - ❖ **Author:** Bonnen, Greg | Meyer
  - ❖ **Coauthor:** Guillen
  - ❖ **Caption:** Relating to creating a school safety allotment under the foundation school program.
  - ❖ **Existing Law: See Laws for Cost Management – pg. 18**
- **HB 1160 – N L I**
  - ❖ **Author:** Johnson, Jarvis
  - ❖ **Caption:** Relating to the use of the compensatory education allotment for a school district's school guidance and counseling program or counseling or social work services.
  - ❖ **Existing Law: See Laws for Cost Management – pg. 18**
- **HB 396 – N L I**
  - ❖ **Author:** VanDeaver
  - ❖ **Caption:** Relating to acceptable uses of the instructional materials and technology fund and the instructional materials and technology allotment.
  - ❖ **Existing Law: See Laws for Cost Management – pg. 18**

## ❖ **New Bills for Schools Working with Communities – Partnerships**

**Laws already exist to serve this purpose.**

- **HB 92 – N L I**
  - ❖ **Authors:** Rodriguez | VanDeaver | Bernal | Bell, Keith
  - ❖ **Caption:** Relating to a public school campus's election under a campus turnaround plan to operate as a community school.
  - ❖ **Existing Laws:**  
**See Laws for Schools Working with Communities – pg. 16**
- **HB 2616 – N L I**
  - ❖ **Authors:** Hinojosa
  - ❖ **Caption:** Relating to Texas Community Schools.
  - ❖ **Existing Laws:**  
**See Laws for Schools Working with Communities – pg. 16**
- **HB 3062 – N L I**
  - ❖ **Authors:** Allison
  - ❖ **Caption:** Relating to authorizing parents of students enrolled at a low-performing public school campus to petition the commissioner of education for the appointment of a board of managers, alternative management, or closure of the campus.

- ❖ **Existing Laws:**  
See **Laws for Schools Working with Communities – pg. 16**
- **SB 2118 – NLI**
  - ❖ **Authors:** Bettencourt
  - ❖ **Caption:** Relating to governmental entities that may partner with a school district to operate a district campus.
  - ❖ **Existing Laws:**  
See **Laws for Schools Working with Communities – pg. 16**
- **SB 1343 – NLI**
  - ❖ **Authors:** Menéndez
  - ❖ **Caption:** Relating to a school district partnering with certain eligible entities to operate a district campus.
  - ❖ **Existing Laws:**  
See **Laws for Schools Working with Communities – pg. 16**
- **HB 3861 – NLI**
  - ❖ **Authors:** Bohac
  - ❖ **Caption:** Relating to state funding and accountability provisions applicable to school district campuses and programs operated under school district and charter partnerships.
  - ❖ **Existing Laws:**  
See **Laws for Schools Working with Communities – pg. 16**  
See **Laws for Cost Management – pg. 18**  
See **Laws for Healthy Learning – pg. 14**
- **SB 2117 – NLI**
  - ❖ **Authors:** Bettencourt
  - ❖ **Caption:** Relating to state funding and accountability provisions applicable to school district campuses and programs operated under school district and charter partnerships.
  - ❖ **Existing Laws:**  
See **Laws for Schools Working with Communities – pg. 16**  
See **Laws for Cost Management – pg. 18**  
See **Laws for Healthy Learning – pg. 14**

## ❖ **Investigating Administration of Public Education**

**Laws already exist for the oversight of the administration of public education by the commissioner of education.**

- **SB 933 and HB 4334 – NLI**
  - ❖ **Authors:** H-Huberty S-Bettencourt | Buckingham | Campbell | Creighton | Fallon | Flores | Hall | Hancock | Hinojosa | Huffman | Hughes | Johnson | Kolkhorst | Lucio | Miles | Nelson | Nichols | Paxton | Perry | Rodríguez | Schwertner | Seliger | Taylor | Watson | West | Whitmire

- ❖ **Caption:** Relating to the creation of the office of inspector general at the Texas Education Agency to investigate the administration of public education.
- ❖ **Existing Laws:**

*The commissioner is THE leader and responsible for all administration of public education and therefore must be assessed/investigated first. Had the commissioner fulfilled their responsibilities for the last two decades, assessing and improving administration would have already been taking place and a new office of inspector general not needed.*

  - Sec. 7.055. COMMISSIONER OF EDUCATION POWERS AND DUTIES. (a) The commissioner has the powers and duties provided by Subsection (b).
    - (b)(1) The commissioner **shall serve as the educational leader of the state.**
    - (2) The commissioner **shall serve as executive officer of the agency** and as executive secretary of the board.
    - (3) The commissioner **shall carry out the duties imposed on the commissioner by the board or the legislature.**

## Existing Laws

# Healthy Learning, Including Special Education

### Also See Laws for

#### Schools Working with Communities – Partnerships – pg. 16

- ❖ Sec. 39A.053. ON-SITE NEEDS ASSESSMENT. (a) A campus intervention team shall:
    - (1) conduct, with the involvement and advice of the school community partnership team, if applicable:
      - (A) if the commissioner determines necessary, a comprehensive on-site needs assessment, using the procedures provided by Subsection (c); or
      - (B) a targeted on-site needs assessment relevant to an area of insufficient performance of the campus as provided by Subsection (d); and
    - (2) recommend appropriate actions as provided by Section 39A.054.
  - (b) An on-site needs assessment required by Subsection (a) **must determine the factors resulting in the campus's low performance and lack of progress**, including the contributing education-related factors.
- 
- ❖ Sec. 39A.060. CAMPUS INTERVENTION TEAM CONTINUING DUTIES. For each year a campus is assigned an unacceptable performance rating, the campus intervention **team shall**:
  - (1) **continue to work with the campus until**:
    - (A) the campus satisfies all performance standards under Section 39.054(e) for a two-year period; or
    - (B) the campus satisfies all performance standards under Section 39.054(e) for a one-year period and the commissioner determines that the campus is operating and will continue to operate in a manner that improves student achievement
- 
- ❖ Sec. 11.252. DISTRICT-LEVEL PLANNING AND DECISION-MAKING. (a)... The district improvement plan must include provisions for:
  - (1) a comprehensive needs assessment addressing district student performance on the achievement indicators, and **other appropriate measures of performance**, that are disaggregated by all student groups served by the district, including categories of ethnicity, socioeconomic status, sex, and **populations served by special programs, including students in special education programs under Subchapter A, Chapter 29**;
  - (2) measurable district performance objectives for all appropriate achievement indicators for **all student populations, including students in special education programs under Subchapter A, Chapter 29, and other measures of student performance that**

**may be identified through the comprehensive needs assessment;**

- (3) strategies for improvement of student performance that include:
  - (A) **instructional methods for addressing the needs of student groups not achieving their full potential;**
  - (B) methods for **addressing the needs of students for special programs**, including:
    - (i) **suicide prevention programs, ....**
    - (ii) **conflict resolution programs;**
    - (iii) **violence prevention programs;** and
    - (iv) **dyslexia treatment programs;**
  - (C) **dropout reduction;**
  - (D) integration of technology in instructional and administrative programs;
  - (E) **discipline management;**
  - (F) **staff development for professional staff of the district;**
  - (G) **career education to assist students in developing the knowledge, skills, and competencies necessary for a broad range of career opportunities;**

- ❖ Sec. 11.253. CAMPUS PLANNING AND SITE-BASED DECISION-MAKING.
  - (c) Each school year, the principal of each school campus, with the assistance of the campus-level committee, shall develop, review, and revise the campus improvement plan for the purpose of improving student **performance for all student populations, including students in special education programs under Subchapter A, Chapter 29**, with respect to the achievement indicators adopted under Section 39.053(c) and **any other appropriate performance measures for special needs populations.**
  - (d) Each campus improvement plan must:
    - (1) assess the academic achievement for each student in the school using the achievement indicator system as described by Section 39.053;
    - (2) set the campus performance objectives based on the achievement indicator system, **including objectives for special needs populations, including students in special education programs under Subchapter A, Chapter 29;**
    - (3) identify how the campus **goals will be met for each student;** ...
    - (8) include **goals and methods for violence prevention and intervention** on campus;
    - (9) provide for a program to encourage parental involvement at the campus; and
    - (10) ...set goals and objectives for the coordinated health program at the campus based on : (F) **any other indicator recommended by the local school health advisory council.**



- ❖ Sec. 11.1511. SPECIFIC POWERS AND DUTIES OF BOARD. ...
  - (b) The board shall: (1) seek to establish working relationships with other public entities to make effective use of community resources and **to serve the needs of public school students in the community;**
- ❖ Sec. 11.1512. COLLABORATION BETWEEN BOARD AND SUPERINTENDENT
  - (b) The board of trustees and the superintendent shall work together to...
    - (2) create and support connections with community organizations to provide community-wide support for the **high achievement of all district students;**

## Existing Laws

### Schools Working with Communities -- Partnerships

For State supporting campuses and school districts in working together with their communities

- ❖ Sec. 7.009. BEST PRACTICES; CLEARINGHOUSE. (a) In coordination with the Legislative Budget Board, the agency shall establish an online clearinghouse of information relating to **best practices of campuses, school districts, and open-enrollment charter schools.**
- ❖ Sec. 11.254. STATE RESPONSIBILITIES FOR THE PLANNING AND DECISION-MAKING PROCESS. (a) The commissioner shall **oversee the provision of training and technical support to all districts and campuses** in respect to planning and site-based decision-making through one or more sources, including regional education service centers, for school board trustees, superintendents, principals, teachers, parents, and other members of school committees.
- ❖ Sec. 11.254. STATE RESPONSIBILITIES FOR THE PLANNING AND DECISION-MAKING PROCESS. (b) The agency shall conduct an **annual statewide survey** of the types of district- and campus-level decision-making and planning structures that exist, the **extent of involvement of various stakeholders** in district- and campus-level planning and decision-making, and the perceptions of those persons of **the quality and effectiveness of decisions** related to their **impact on student performance.**
- ❖ Sec. 39A.051. ACTIONS BASED ON CAMPUS PERFORMANCE. (a) If the performance of a campus is below any standard under Section 39.054(e), the commissioner shall...(2) assign a campus intervention team.(b) For a campus described by Subsection (a), the commissioner, to the extent the commissioner

determines necessary, may...or (2) **establish a school community partnership team** composed of members of the campus-level planning and decision-making committee established under Section 11.251 and additional community representatives as determined appropriate by the commissioner.

- ❖ Sec. 39A.053. ON-SITE NEEDS ASSESSMENT. (a) A campus intervention team shall: (1) conduct, **with the involvement and advice of the school community partnership team**, if applicable: (A) if the commissioner determines necessary, a comprehensive on-site needs assessment, using the procedures provided by Subsection (c); or (B) a targeted on-site needs assessment relevant to an area of insufficient performance of the campus as provided by Subsection (d); and (2) recommend appropriate actions as provided by Section 39A.054. (b) An on-site needs assessment required by Subsection (a) **must determine the factors resulting in the campus's low performance and lack of progress, including the contributing education-related factors**.
- ❖ Sec. 39A.054. CAMPUS INTERVENTION TEAM RECOMMENDATIONS. On completing the on-site needs assessment required under Section 39A.053, the campus intervention team shall, **with the involvement and advice of the school community partnership team**, if applicable, recommend actions relating to any area of insufficient performance.
- ❖ Sec. 39A.055. TARGETED IMPROVEMENT PLAN. In addition to the campus intervention team duties under Sections 39A.053 and 39A.054 relating to the on-site needs assessment, the campus intervention team shall: (1) assist the campus in developing a targeted (2) **conduct a public meeting at the campus with the campus principal, the members of the campus-level planning and decision-making committee established under Section 11.251, parents of students attending the campus, and community members** residing in the school district to review the campus performance rating and solicit input for the development of the targeted improvement plan;
- ❖ Sec. 11.1511. SPECIFIC POWERS AND DUTIES OF BOARD. ... (b) The board shall: (1) seek to **establish working relationships with other public entities** to make effective use of community resources and to serve the needs of public school students in the community;
- ❖ Sec. 11.1512. COLLABORATION BETWEEN BOARD AND SUPERINTENDENT (b) The board of trustees and the superintendent shall work together to... (2) **create and support connections with community organizations** to provide community-wide support for the high achievement of all district students;

## Existing Laws

### Cost Management

For State supporting campuses and school districts in making effective and efficient use of resources, including money.

- ❖ Existing Laws – **Schools Working with Communities on pg. 16** for the state supporting campuses and school districts in working together with their communities
  
- ❖ Sec. 42.001. STATE POLICY. (b) The public school finance system of this state shall adhere to a standard of neutrality that provides for substantially equal access to similar revenue per student at similar tax effort, considering all state and local tax revenues of districts after acknowledging all legitimate **student and district cost** differences.
  
- ❖ Sec. 39A.054. CAMPUS INTERVENTION TEAM RECOMMENDATIONS. On completing the on-site needs assessment required under Section 39A.053, the campus intervention team shall, with the involvement and advice of the school community partnership team, if applicable, recommend actions relating to any area of insufficient performance, including:
  - (1) **reallocation of resources;**
  
- ❖ Sec. 39A.105. CONTENTS OF CAMPUS TURNAROUND PLAN. A campus turnaround plan must include:
  - (5) a detailed **description of the budget**, staffing, and financial resources required to implement the plan, including any **supplemental resources** to be provided by the school district or other identified sources.
  
- ❖ Sec. 11.252. DISTRICT-LEVEL PLANNING AND DECISION-MAKING.
  - (a)... The district improvement plan must include provisions for:..
    - (5) **resources needed** to implement identified strategies
    - (7) timelines for ongoing **monitoring** of the implementation of each improvement strategy;
    - (8) **formative evaluation criteria** for determining periodically whether strategies are resulting in intended improvement of student performance;
  
- ❖ Sec. 11.253. CAMPUS PLANNING AND SITE-BASED DECISION-MAKING.
  - (d) Each campus improvement plan must:
    - (4) determine the **resources needed** to implement the plan;
    - (6) set **timelines** for reaching the goals;
    - (7) **measure progress** toward the performance objectives periodically to ensure that the plan is resulting in academic improvement;

(e) In accordance with the administrative procedures established under Section 11.251(b), the campus-level committee shall be involved in decisions in the areas of planning, **budgeting**...

❖ Sec. 11.1511. SPECIFIC POWERS AND DUTIES OF BOARD. ...

(b) The board shall: (1) seek to establish working relationships with other public entities to **make effective use of community resources** and to serve the needs of public school students in the community;

❖ Sec. 11.1512. COLLABORATION BETWEEN BOARD AND SUPERINTENDENT

(b) The board of trustees and the superintendent shall work together to...  
(2) create and support connections with community organizations to provide **community-wide support** for the high achievement of all district students;

# Public Information Requests to Senators on Committee on Nominations

PIR was sent to each senator on the Senate Committee on Nominations.

## Requests – PIRs

**From:** Steve Swanson <swanson@austin.rr.com>

**Sent:** Thursday, March 28, 2019 10:40 AM

**To:** 'patsy.spaw@senate.state.tx.us' <patsy.spaw@senate.state.tx.us>

**Subject:** Senator \_\_\_\_\_ 3/28/2019 PIR – Commissioner, TEA and CIT Performance  
And

**From:** Steve Swanson <swanson@austin.rr.com>

**Sent:** Wednesday, March 27, 2019 2:27 PM

**To:** 'patsy.spaw@senate.state.tx.us' <patsy.spaw@senate.state.tx.us>

**Subject:** Senator Watson 3/27/2019 PIR – Commissioner, TEA and CIT Performance

To those who respond to public Information requests for Senator Lois W. Kolkhorst, Senator Bob Hall, Senator Borris Miles, Senator Kel Seliger, Senator Dawn Buckingham, Senator Carol Alvarado (Senator).

This is a request for the following documents. Reference the Texas Public Information Act.

- If they are in electronic format, thank you for sending them by email.
- This is a request for the documents the Senator already has with the information requested and is not intended to have new documents created.

A. Request documentation of the last evaluation/assessment the Senator has of the performance of the commissioner of education and agency (TEA) in fulfilling their responsibilities as required in the Texas Education Code for providing support to and survey of all districts and campuses in respect to planning and site-based decision-making for:

1. Setting goals and objectives for the coordinated health program at the campus based on any indicator recommended by the local school health advisory council.
2. Strategies for improvement of student performance that include methods for addressing the needs of students for special programs, including...suicide and violence prevention programs.
3. A comprehensive needs assessment addressing district student performance on the achievement indicators, and other appropriate measures of performance, that are disaggregated by all student groups served by the district, including categories of ethnicity, socioeconomic status, sex, and populations served by special programs, including students in special education programs under Subchapter A, Chapter 29.
4. Measurable district performance objectives for all appropriate achievement indicators for all student populations, including students in special education programs under Subchapter A, Chapter 29, and other measures of student performance that may be identified through the comprehensive needs assessment.

5. Strategies for improvement of student performance that include methods for addressing the needs of students for special programs, including...dyslexia treatment programs.
  6. District improvement plan including provisions for...
    - a. resources needed to implement identified strategies;
    - b. timelines for ongoing monitoring of the implementation of each improvement strategy;
    - c. formative evaluation criteria for determining periodically whether strategies are resulting in intended improvement of student performance.
  7. Each campus improvement plan...
    - a. determine the resources needed to implement the plan;
    - b. set timelines for reaching the goals;
    - c. measure progress toward the performance objectives periodically to ensure that the plan is resulting in academic improvement.
- B. Request documentation of the last evaluation/assessment the Senator has of the performance of the commissioner of education in fulfilling their responsibilities as required in the Texas Education Code for establishing a school community partnership team composed of members of the campus-level planning and decision-making committee established under Section 11.251 and additional community representatives as determined appropriate by the commissioner.
- C. Request documentation of the last evaluation/assessment the Senator has of the performance of the commissioner of education and Campus Intervention Teams in fulfilling their responsibilities as required in the Texas Education Code for:
1. Each year a campus is assigned an unacceptable performance rating, a campus intervention team assists in updating the targeted improvement plan to identify and analyze areas of growth and areas that require improvement; and submit each updated plan...to the board of trustees of the school district.
  2. Each year a campus is assigned an unacceptable performance rating, a/the campus intervention team continues to work with a campus until the campus satisfies all performance standards under Section 39.054(e) for a two-year period.
  3. Conducting, with the involvement and advice of the school community partnership team, if applicable...a targeted on-site needs assessment relevant to an area of insufficient performance of the campus...; and recommend appropriate actions....An on-site needs assessment... must determine the factors resulting in the campus's low performance and lack of progress, including the contributing education-related factors.

**D. Request documentation the Senator has used since 2013 and is using in evaluating the nomination for the commissioner of education.**

Thank you

Steve

Steve Swanson

512-422-5686

5000 Mission Oaks Blvd. #9 Austin, Texas 78735

**From:** Steve Swanson <swanson@austin.rr.com>

**Sent:** Monday, April 15, 2019 12:00 PM

**To:** 'patsy.spaw@senate.state.tx.us' <patsy.spaw@senate.state.tx.us>

**Subject:** RE: Senator Watson 3/27/2019 PIR – Commissioner, TEA and CIT Performance -  
- Not seen response

Hi Ms. Spaw

Have not seen a response to my request below to Senator Watson.  
Please send again if already sent.

If not previously sent, please let me know,

Thank you  
Steve  
Steve Swanson  
512-422-5686

**From:** Steve Swanson <swanson@austin.rr.com>

**Sent:** Monday, April 15, 2019 12:03 PM

**To:** 'patsy.spaw@senate.state.tx.us' <patsy.spaw@senate.state.tx.us>

**Subject:** RE: Senator Alvarado 3/28/2019 PIR – Commissioner, TEA and CIT Performance  
- Not seen response

Hi Ms. Spaw

Have not seen a response to my request below to Senator Alvarado.  
Please send again if already sent.

If not previously sent, please let me know.

Thank you  
Steve  
Steve Swanson  
512-422-5686

**From:** Steve Swanson <swanson@austin.rr.com>

**Sent:** Monday, April 15, 2019 12:05 PM

**To:** 'patsy.spaw@senate.state.tx.us' <patsy.spaw@senate.state.tx.us>

**Subject:** RE: Senator Kolkhorst 3/28/2019 PIR – Commissioner, TEA and CIT Performance  
- Not seen response

Hi Ms. Spaw

Have not seen a response to my request below to Senator Kolkhorst.  
Please send again if already sent.

If not previously sent, please let me know.

Thank you  
Steve  
Steve Swanson  
512-422-5686

## Responses to PIRs from Senate

**From:** Patsy Spaw <Patsy.Spaw@senate.texas.gov>

**Sent:** Friday, March 29, 2019 5:40 PM

**To:** Steve Swanson <swanson@austin.rr.com>

**Subject:** RE: Senator Hall 3/28/2019 PIR - Commissioner, TEA and CIT Performance

Dear Mr. Swanson:

In accordance with your open records request (see below) for certain documents from Senator Bob Hall, **we have reviewed our files and have found no responsive documents.**

Respectfully,  
Patsy Spaw  
Secretary of the Senate

**From:** Patsy Spaw <Patsy.Spaw@senate.texas.gov>

**Sent:** Friday, March 29, 2019 5:42 PM

**To:** Steve Swanson <swanson@austin.rr.com>

**Subject:** RE: Senator Seliger 3/28/2019 PIR - Commissioner, TEA and CIT Performance

Dear Mr. Swanson:

In accordance with your open records request (see below) for certain documents from Senator Kel Seliger, **we have reviewed our files and have found no responsive documents.**

Respectfully,  
Patsy Spaw  
Patsy Spaw  
Secretary of the Senate

**From:** Patsy Spaw <Patsy.Spaw@senate.texas.gov>

**Sent:** Monday, April 1, 2019 9:56 AM

**To:** Steve Swanson <swanson@austin.rr.com>

**Subject:** RE: Senator Miles 3/28/2019 PIR - Commissioner, TEA and CIT Performance

Dear Mr. Swanson:

In accordance with your open records request (see below) for certain documents from Senator Borris Miles, **we have reviewed our files and have found no responsive documents.**

Respectfully,  
Patsy Spaw  
Secretary of the Senate

**From:** Patsy Spaw <Patsy.Spaw@senate.texas.gov>

**Sent:** Friday, April 5, 2019 12:00 PM

**To:** Steve Swanson <swanson@austin.rr.com>

**Subject:** Senator Buckingham 3/28/2019 PIR - Commissioner, TEA and CIT Performance

Dear Mr. Swanson:

In accordance with your open records request (see below) for certain documents from Senator Dawn Buckingham, **we have reviewed our files and have found no responsive documents.**

Respectfully,  
Patsy Spaw  
Secretary of the Senate

**From:** Patsy Spaw <Patsy.Spaw@senate.texas.gov>

**Sent:** Monday, April 15, 2019 10:08 PM

**To:** Steve Swanson <swanson@austin.rr.com>

**Subject:** RE: Senator Alvarado 3/28/2019 PIR - Commissioner, TEA and CIT Performance  
- Not seen response



Mr. Swanson, we have reviewed our files in accordance with your request for documents from Senator Carol Alvarado (see below), and have **found no responsive documents**. Respectfully,  
Patsy Spaw  
Secretary of the Senate

**From:** Patsy Spaw <Patsy.Spaw@senate.texas.gov>  
**Sent:** Tuesday, April 16, 2019 10:12 AM  
**To:** Steve Swanson <swanson@austin.rr.com>  
**Subject:** RE: Senator Watson 3/27/2019 PIR - Commissioner, TEA and CIT Performance

Dear Mr. Swanson,

In accordance with your open records request (see email below) for documents from Senator Kirk Watson, , **we have reviewed our files and have found no responsive documents**.  
Respectfully,  
Patsy Spaw  
Secretary of the Senate

**From:** Patsy Spaw <Patsy.Spaw@senate.texas.gov>  
**Sent:** Tuesday, April 16, 2019 10:41 PM  
**To:** Steve Swanson <swanson@austin.rr.com>  
**Subject:** RE: Senator Kolkhorst 3/28/2019 PIR - Commissioner, TEA and CIT Performance

Dear Mr. Swanson,

In accordance with your request for certain documents from Senator Lois Kolkhorst ( see email below), **we have reviewed our files and have found no responsive documents**.

Respectfully,  
Patsy Spaw  
Secretary of the Senate

For comments and questions from the public and  
Texas legislators please email  
[contact@improvetexaschools.org](mailto:contact@improvetexaschools.org)  
Go to [improvetexaschools.org](http://improvetexaschools.org) for more information  
Steve Swanson