

Chapter 988

H.B. No. 18

AN ACT

relating to measures to support public school student academic achievement and high school, college, and career preparation.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Sections 7.0561(b), (c), (d), and (j), Education Code, are amended to read as follows:

(b) The Texas High Performance Schools Consortium is established to inform the governor, legislature, State Board of Education, and commissioner concerning methods for transforming public schools in this state by improving student learning through the development of innovative, next-generation learning standards and assessment and accountability systems, including standards and systems relating to career and college readiness.

(c) From among school districts and eligible open-enrollment charter schools that apply using the form and in the time and manner established by commissioner rule, the commissioner may select not more than 30 ~~[20]~~ participants for the consortium. The districts selected by the commissioner must represent a range of district types, sizes, and diverse student populations, as determined by the commissioner in accordance with commissioner rule. To be eligible to participate in the consortium, an open-enrollment charter school must have been awarded a ~~[an exemplary]~~ distinction designation under Subchapter G, Chapter 39, during the preceding school year.

(d) The number of students enrolled in consortium participants may not be greater than a number equal to 10 [~~five~~] percent of the total number of students enrolled in public schools in this state according to the most recent agency data.

(j) The [~~With the assistance of the~~] school districts and open-enrollment charter schools participating in the consortium[, ~~the commissioner~~] shall submit reports concerning the performance and progress of the consortium to the governor, and the legislature, the State Board of Education, and the commissioner not later than December 1 of each even-numbered year[, ~~2012, and not later than December 1, 2014~~]. [~~The report submitted not later than December 1, 2012, must include any recommendation by the commissioner concerning legislative authorization for the commissioner to waive a prohibition, requirement, or restriction that applies to a consortium participant. That report must also include a plan for an effective and efficient accountability system for consortium participants that balances academic excellence and local values to inspire learning and, at the state level, contingent on any necessary waiver of federal law, may incorporate use of a stratified random sampling of students or other objective methodology to hold consortium participants accountable while attempting to reduce the number of state assessment instruments that are required to be administered to students. The commissioner shall seek a federal waiver, to any extent necessary, to prepare for implementation of the plan if enacted by the legislature. This subsection expires January 1, 2018.~~]

SECTION 2. Section 28.009(b), Education Code, is amended to

1 read as follows:

2 (b) The agency shall coordinate with the Texas Higher
3 Education Coordinating Board as necessary in administering this
4 section. The commissioner may adopt rules as necessary concerning
5 the duties under this section of a school district. The Texas
6 Higher Education Coordinating Board may adopt rules as necessary
7 concerning the duties under this section of a public institution of
8 higher education. A rule may not limit the number of dual credit
9 courses or semester credit hours in which a student may enroll while
10 in high school or limit the number of dual credit courses or
11 semester credit hours in which a student may enroll each semester or
12 academic year.

13 SECTION 3. (a) Subchapter A, Chapter 28, Education Code,
14 is amended by adding Section 28.015 to read as follows:

15 Sec. 28.015. PUBLIC OUTREACH MATERIALS TO PROMOTE
16 CURRICULUM CHANGE AWARENESS. (a) The agency shall develop uniform
17 public outreach materials that explain the importance and outline
18 the details of public school curriculum changes under Chapter 211
19 (H.B. 5), Acts of the 83rd Legislature, Regular Session, 2013, and
20 subsequent associated decisions by the State Board of Education.
21 The agency shall make the materials available to school districts.

22 (b) The materials developed under this section must:

23 (1) be available in English, Spanish, and Vietnamese;

24 (2) be in a form that would allow school districts to
25 mail the information to students and parents; and

26 (3) include an explanation of:

27 (A) the basic career and college readiness

1 components of each endorsement under Section 28.025(c-1);

2 (B) the curriculum requirements to gain
3 automatic college admission under Section 51.803; and

4 (C) applicable course, graduation plan, and
5 endorsement requirements for financial aid authorized under Title
6 3, including curriculum requirements for:

7 (i) the TEXAS grant as provided under
8 Subchapter M, Chapter 56;

9 (ii) the Texas Educational Opportunity
10 Grant Program as provided under Subchapter P, Chapter 56; and

11 (iii) the Texas B-On-time loan program as
12 provided under Subchapter Q, Chapter 56.

13 (c) This section expires September 1, 2018.

14 (b) The Texas Education Agency shall develop the materials
15 described under Section 28.015, Education Code, as added by this
16 section, no later than December 1, 2015.

17 SECTION 4. Subchapter A, Chapter 28, Education Code, is
18 amended by adding Section 28.016 to read as follows:

19 Sec. 28.016. INSTRUCTION IN HIGH SCHOOL, COLLEGE, AND
20 CAREER PREPARATION. (a) Each school district shall provide
21 instruction to students in grade seven or eight in preparing for
22 high school, college, and a career.

23 (b) The instruction must include information regarding:

24 (1) the creation of a high school personal graduation
25 plan under Section 28.02121;

26 (2) the distinguished level of achievement described
27 by Section 28.025(b-15);

1 (3) each endorsement described by Section
2 28.025(c-1);
3 (4) college readiness standards; and
4 (5) potential career choices and the education needed
5 to enter those careers.

6 (c) A school district may:

7 (1) provide the instruction as part of an existing
8 course in the required curriculum;

9 (2) provide the instruction as part of an existing
10 career and technology course designated by the State Board of
11 Education as appropriate for that purpose; or

12 (3) establish a new elective course through which to
13 provide the instruction.

14 (d) Each school district shall ensure that at least once in
15 grade seven or eight each student receives the instruction under
16 this section.

17 SECTION 5. Subchapter A, Chapter 33, Education Code, is
18 amended by adding Section 33.009 to read as follows:

19 Sec. 33.009. POSTSECONDARY EDUCATION AND CAREER COUNSELING
20 ACADEMIES. (a) In this section, "center" means the Center for
21 Teaching and Learning at The University of Texas at Austin.

22 (b) The center shall develop and make available
23 postsecondary education and career counseling academies for school
24 counselors and other postsecondary advisors employed by a school
25 district at a middle school, junior high school, or high school.

26 (c) In developing academies under this section, the center
27 shall solicit input from the agency, school counselors, the Texas

1 Workforce Commission, institutions of higher education, and
2 business, community, and school leaders.

3 (d) An academy developed under this section must provide
4 counselors and other postsecondary advisors with knowledge and
5 skills to provide counseling to students regarding postsecondary
6 success and productive career planning and must include information
7 relating to:

8 (1) each endorsement described by Section
9 28.025(c-1), including:

10 (A) the course requirements for each
11 endorsement; and

12 (B) the postsecondary educational and career
13 opportunities associated with each endorsement;

14 (2) available methods for a student to earn credit for
15 a course not offered at the school in which the student is enrolled,
16 including enrollment in an electronic course provided through the
17 state virtual school network under Chapter 30A;

18 (3) general academic performance requirements for
19 admission to an institution of higher education, including the
20 requirements for automatic admission to a general academic teaching
21 institution under Section 51.803;

22 (4) regional workforce needs, including information
23 about the required education and the average wage or salary for
24 careers that meet those workforce needs; and

25 (5) effective strategies for engaging students and
26 parents in planning for postsecondary education and potential
27 careers, including participation in mentorships and business

1 partnerships.

2 (e) The center shall develop an online instructional
3 program that school districts may use in providing the instruction
4 in high school, college, and career preparation required by Section
5 28.016. The program must be structured for use as part of an
6 existing course.

7 (f) The center may access the P-20/Workforce Data
8 Repository established under Section 1.005(j-1) in developing
9 training, instructional programs, and technological tools under
10 this section and conducting related evaluations. The center may be
11 provided access to the data repository through collaboration with
12 the Texas Higher Education Coordinating Board or a center for
13 education research established under Section 1.005. The agency and
14 the coordinating board may not condition the center's access to the
15 data repository on agency or board review of the proposed training,
16 instructional programs, technological tools, or related
17 evaluations developed by the center.

18 (g) A teacher of a course described by Section 28.016(c)(2)
19 or (3) may attend an academy developed under this section.

20 (h) From funds appropriated for that purpose, a school
21 counselor who attends the academy under this section is entitled to
22 receive a stipend in the amount determined by the center. If funds
23 are available after all eligible school counselors have received a
24 stipend under this subsection, the center shall pay a stipend in the
25 amount determined by the center to a teacher who attends the academy
26 under this section. A stipend received under this subsection is not
27 considered in determining whether a district is paying the school

1 counselor or teacher the minimum monthly salary under Section
2 21.402.

3 (i) From available funds appropriated for purposes of this
4 section, the center may provide to school counselors and other
5 educators curricula, instructional materials, and technological
6 tools relating to postsecondary education and career counseling.

7 (j) The center shall comply with any applicable provision of
8 the Family Educational Rights and Privacy Act of 1974 (20 U.S.C.
9 Section 1232g) in performing its duties or exercising its authority
10 under this section.

11 SECTION 6. (a) Section 51.3062, Education Code, is amended
12 by adding Subsection (u) to read as follows:

13 (u) An institution of higher education that administers an
14 assessment instrument to students under this section shall report
15 to each school district from which assessed students graduated high
16 school all available information regarding student scores and
17 performance on the assessment instrument and student demographics.
18 The board shall adopt rules as necessary to implement this
19 subsection, including rules for implementing this subsection in a
20 manner that complies with federal law regarding confidentiality of
21 student medical or educational information, including the Health
22 Insurance Portability and Accountability Act of 1996 (42 U.S.C.
23 Section 1320d et seq.) and the Family Educational Rights and
24 Privacy Act of 1974 (20 U.S.C. Section 1232g), and any state law
25 relating to the privacy of student information.

26 (b) Section 51.3062(u), Education Code, as added by this
27 section, applies beginning with assessment instruments

administered by public institutions of higher education to entering undergraduate students for the 2016 fall semester.

SECTION 7. Section 130.008, Education Code, is amended by adding Subsections (g) and (h) to read as follows:

(g) A course offered for joint high school and junior college credit under this section must be taught by a qualified instructor approved or selected by the public junior college. For purposes of this subsection, an instructor is qualified if the instructor holds:

(1) a doctoral or master's degree in the discipline that is the subject of the course;

(2) a master's degree in another discipline with a concentration that required completion of a minimum of 18 graduate semester hours in the discipline that is the subject of the course;
or

(3) for a course that is offered in an associate degree program and that is not designed for transfer to a baccalaureate degree program:

(A) a degree described by Subdivision (1) or (2);

(B) a baccalaureate degree in the discipline that is the subject of the course; or

(C) an associate degree and demonstrated competencies in the discipline that is the subject of the course, as determined by the Texas Higher Education Coordinating Board.

(h) Not later than the 60th day after receipt, a public junior college shall approve or reject an application for approval to teach a course at a high school that is submitted by an

1 instructor employed by the school district, organization, or other
2 person that operates the high school with which the junior college
3 entered into an agreement under this section to offer the course.

4 SECTION 8. Section 303.003(b-2), Labor Code, is amended to
5 read as follows:

6 (b-2) In addition to the purposes described by Subsections
7 (b) and (b-1), in each state fiscal biennium, an amount of money
8 from the skills development fund not to exceed five percent of the
9 amount of general revenue appropriated to the skills development
10 fund for that biennium may be used as provided by this subsection.
11 Funds available to the commission from other sources may also be
12 used as provided by this subsection. Funds may be awarded under
13 this subsection to a lower-division institution of higher education
14 to be used under an agreement with a school district, or to a school
15 district to be used under an agreement with a lower-division
16 institution of higher education, to support courses offered for
17 joint high school and college-level credit or offered under a
18 college credit career or technical education program that leads to
19 an industry-recognized license, credential, or certificate.
20 Appropriate uses of funds awarded under this subsection include
21 purchasing or repairing necessary equipment for a course and
22 developing a course curriculum. A course or program supported
23 under this subsection must:

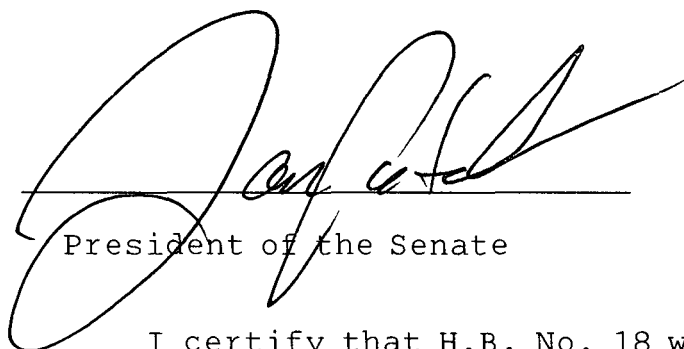
24 (1) have the endorsement of, or a letter of support
25 from, at least one employer in this state; and

26 (2) be targeted to address the needs of high-demand
27 fields or occupations, as identified by the applicable local

1 workforce development board.

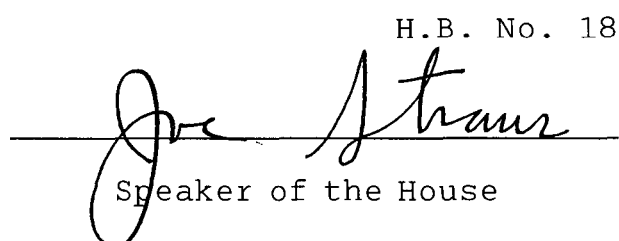
2 SECTION 9. Section 28.016, Education Code, as added by this
3 Act, applies beginning with the 2015-2016 school year.

4 SECTION 10. This Act takes effect immediately if it
5 receives a vote of two-thirds of all the members elected to each
6 house, as provided by Section 39, Article III, Texas Constitution.
7 If this Act does not receive the vote necessary for immediate
8 effect, this Act takes effect September 1, 2015.



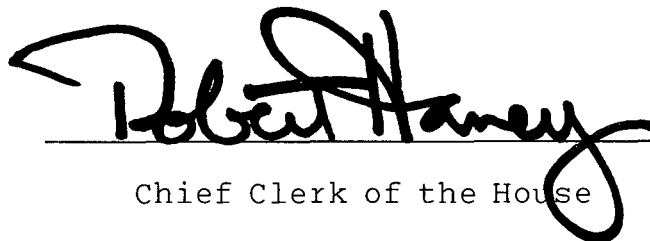
President of the Senate

H.B. No. 18



Speaker of the House

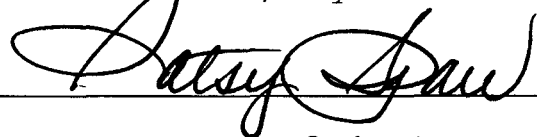
I certify that H.B. No. 18 was passed by the House on May 12, 2015, by the following vote: Yeas 136, Nays 9, 2 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 18 on May 29, 2015, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 18 on May 31, 2015, by the following vote: Yeas 135, Nays 8, 2 present, not voting.



Chief Clerk of the House

H.B. No. 18

I certify that H.B. No. 18 was passed by the Senate, with amendments, on May 27, 2015, by the following vote: Yeas 30, Nays 1; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 18 on May 31, 2015, by the following vote: Yeas 30, Nays 1.



Secretary of the Senate

APPROVED: 6-16-2015

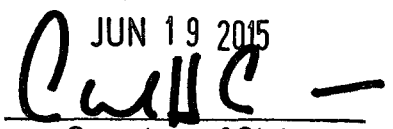
Date



Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE

6:30 pm O'CLOCK



JUN 19 2015
Secretary of State

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 28, 2015

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB18 by Aycock (Relating to college and career readiness training for certain public school counselors and postsecondary advisors.), **As Passed 2nd House**

Estimated Two-year Net Impact to General Revenue Related Funds for HB18, As Passed 2nd House: a negative impact of (\$18,259,500) through the biennium ending August 31, 2017.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2016	(\$12,656,000)
2017	(\$5,603,500)
2018	(\$5,603,500)
2019	(\$5,603,500)
2020	(\$5,603,500)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund 1	Change in Number of State Employees from FY 2015
2016	(\$12,656,000)	9.0
2017	(\$5,603,500)	9.0
2018	(\$5,603,500)	9.0
2019	(\$5,603,500)	9.0
2020	(\$5,603,500)	9.0

Fiscal Analysis

The bill would prohibit any limitation of the number of dual credit courses or dual credit course semester credit hours in which a high school student could enroll each semester or academic year.

The bill would require the Texas Education Agency (TEA) to develop uniform public outreach

materials in English, Spanish, and Vietnamese to explain curriculum changes.

The bill would require each school district to provide instruction to each 7th and 8th grade student on how to prepare for high school, college, and a career.

The bill would require The University of Texas at Austin's Center for Teaching and Learning to develop, implement, and evaluate an online, self-paced, modular professional development program for Texas public school counselors as well as educators with counseling responsibilities. Additionally, the bill would provide stipends paid to counselors and other educators that counsel secondary students.

The bill would require dual credit courses to be taught by qualified instructors approved or selected by the public junior college.

The bill would require a school district to partner with at least one institute of higher education (IHE) to provide joint professional development opportunities and collaboration for school counselors and academic advisors related to college readiness; identify common methods of determining college readiness; identify pathways from high school endorsements to available IHE degree programs and fields of study; develop tools based on pathways from endorsements to degree programs and fields of study to assist student in selecting suitable programs; and identify opportunities to increase cost efficiencies in technology, facilities and equipment, dual credit course staffing and certification, and transportation programs.

The bill would require public institutions of higher education to provide certain information to students and school districts regarding student performance on Texas Success Initiative assessment instruments.

The bill would add the State Board of Education (SBOE) to the group of those informed by the Texas High Performance Schools Consortium and would require an open-enrollment charter school to have been awarded a distinction designation during the preceding school year to participate in the consortium. The bill would increase the maximum number of students enrolled in consortium participants from 5 to 10 percent of the total number of students enrolled in public schools. The bill would require Consortium participants to submit performance and progress reports not later than December 1 of each even-numbered year. The bill would eliminate the need for the report to include commissioner recommendations, the inclusion of an accountability system for consortium participants, and the requirement that the commissioner seek a federal waiver if needed.

Methodology

Based on information provided by the Texas Education Agency, any costs associated with the bill could be absorbed within the agency's existing budget.

Based on information provided by the Texas Higher Education Coordinating Board, the bill could result in an increase in dual credit students at institutions of higher education. This increase could result in an additional cost to General Revenue due to increased formula costs for higher education beginning in fiscal year 2018; however, these costs are not considered significant.

Based on information provided by The University of Texas at Austin (UT Austin), implementing the provisions of the bill would require an additional 9.0 FTEs beginning in fiscal year 2016. Salary and benefit costs would total \$1,658,500 per fiscal year. The institution estimates first-year equipment and other operating expense costs of \$10,997,500 to develop content modules along

with purchase of equipment. Ongoing other operating expenses including counselor stipends are estimated to be \$3,945,000 per fiscal year.

Local Government Impact

School districts that currently pay the tuition and fees for students to attend dual credit courses would see increases in their costs if they selected to continue to pay for these costs. These costs could vary widely depending on participation. Districts that did not cover the cost of tuition and fees may see some administrative costs savings for students that attended additional dual credit course that were taught by the college and not by district staff.

It is anticipated that school districts would incur costs for materials, staffing, and developing new courses relating to the bill's provision requiring instruction to students in grade seven or eight in preparing for high school, college, and a career.

Related to provisions regarding the college readiness memorandum of understanding, local school districts would incur administrative costs, but would share these costs with IHEs. These costs would vary from school district to school district.

School districts participating in the Texas High Performance Schools Consortium would be required to submit performance and progress reports of the consortium to governor, the legislature, SBOE, and the commissioner not later than December 1 of each even-numbered year. School districts participating in the consortium could face costs related to submitting the required report.

Source Agencies: 701 Central Education Agency, 720 The University of Texas System
Administration

LBB Staff: UP, JBi, DEH, AW, AM, JP

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 26, 2015

TO: Honorable Larry Taylor, Chair, Senate Committee on Education

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB18 by Aycock (Relating to college and career readiness training for certain public school counselors and postsecondary advisors.), As Engrossed

Estimated Two-year Net Impact to General Revenue Related Funds for HB18, As Engrossed: a negative impact of (\$13,259,499) through the biennium ending August 31, 2017.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2016	(\$7,655,999)
2017	(\$5,603,500)
2018	(\$5,603,500)
2019	(\$5,603,500)
2020	(\$5,603,500)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund 1	Change in Number of State Employees from FY 2015
2016	(\$7,655,999)	9.0
2017	(\$5,603,500)	9.0
2018	(\$5,603,500)	9.0
2019	(\$5,603,500)	9.0
2020	(\$5,603,500)	9.0

Fiscal Analysis

The bill would require The University of Texas at Austin's Center for Teaching and Learning to develop and make available postsecondary education and career counseling academies for counselors and other educational personnel. Additionally, the bill would provide stipends paid to counselors and other educators that counsel secondary students.

Methodology

Based on information provided by The University of Texas at Austin, the fulfilling the provisions of the bill would require an additional 9.0 FTEs beginning in fiscal year 2016. Salary and benefit costs would total \$1,658,500 per fiscal year. The institution estimates first-year equipment and other operating expense costs of \$5,997,500 to develop content modules along with purchase of equipment. Ongoing other operating expenses including counselor stipends are estimated to be \$3,945,000 per fiscal year.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: UP, JBi, DEH, JP

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 13, 2015

TO: Honorable Jimmie Don Aycock, Chair, House Committee on Public Education

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB18 by Aycock (Relating to college and career readiness training for certain public school counselors.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB18, As Introduced: a negative impact of (\$2,666,616) through the biennium ending August 31, 2017.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2016	(\$1,830,267)
2017	(\$836,349)
2018	(\$850,698)
2019	(\$865,320)
2020	(\$880,219)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from <i>General Revenue Fund</i>
	1
2016	(\$1,830,267)
2017	(\$836,349)
2018	(\$850,698)
2019	(\$865,320)
2020	(\$880,219)

Fiscal Analysis

The bill would require the Commissioner of Education to develop postsecondary education and career counseling academies for school counselors employed in a middle school, junior high school, or high school.

The bill would require the Commissioner to solicit input from school counselors, the Texas Workforce Commission (TWC), institutions of higher education (IHEs), and business and community leaders when developing the academies. The bill would require the academies to include information about endorsements, alternative methods for earning credits not offered at school, academic performance requirements for admission to an IHE, regional workforce needs, and how to engage students and parents in postsecondary and career planning.

The bill would provide counselors attending the academies with a stipend. The bill would require the amount of the stipend, as determined by the Commissioner, to not be considered in determining the minimum salary for a teacher.

The bill would take effect September 1, 2015, or immediately if passed with the necessary voting margins.

Methodology

Providing postsecondary education and career counseling academies in the grades specified in the bill would result in a cost of \$1.8 million in fiscal year 2016 due to initial development costs, \$836,349 in fiscal year 2017, and would increase to \$880,219 in fiscal year 2020.

The Texas Education Agency (TEA) estimates the postsecondary education and career counseling academies would be two days long and would provide a \$125 stipend per day for each counselor that attended an academy. Based on information provided by TEA, the 2014-15 Public Education Information Management System (PEIMS) data indicated 11,637 full-time equivalent (FTE) counselors statewide. This estimate assumes that 2,965 counselors (25 percent of the counselors statewide) would attend the academies in fiscal year 2016, increasing to 3,196 counselors in fiscal year 2020. Beginning in 2017, this estimate assumes the population of counselors would grow annually at approximately 1.9 percent based on a comparison of PEIMS FTE data. The estimated annual cost of stipends would be \$741,250 (2,965 counselors x \$125/day x 2 days) in fiscal year 2016, and would increase to \$799,000 in fiscal year 2020 (3,196 counselors x \$125/day x 2 days).

Based on information provided by TEA, postsecondary education and career counseling academy content development would cost \$1.0 million in fiscal year 2016.

This analysis estimates that one FTE would be required to assist with the development and implementation of the postsecondary education and career academies. The estimated cost of the FTE, including salary, benefits, and other operating expenses, would be \$89,136 in fiscal year 2016 and \$81,136 in subsequent years.

Local Government Impact

School districts could incur additional costs in the form of contributions to the Teacher Retirement System (TRS) Trust Account for counselors attending the academies since the stipend authorized by the bill would be considered creditable compensation. School districts may incur costs for substitutes while counselors attend the academies. Costs could vary widely among districts.

Source Agencies: 320 Texas Workforce Commission, 701 Central Education Agency, 781 Higher Education Coordinating Board, 323 Teacher Retirement System

LBB Staff: UP, JBi, AM, AW, PFe