

BILL ANALYSIS

Senate Research Center
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S.B. 518
By: Shapiro
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

A student's age upon entering high school (leaving middle school) and academic performance in 8th grade are the two greatest predictors of high school outcomes. Therefore, it is frequently said that middle grades are the last best chance to identify students at risk of academic failure and get them back on track in time to succeed in high school. Unfortunately, many teachers in the middle grades do not have the content mastery necessary to enact rigorous curricula or prepare students for high school coursework.

S.B. 518 requires middle grade teachers to certify in a content area and demonstrate content mastery requisite of preparing students for college readiness; requires schools to identify at risk or potentially at risk middle grade students and provide interventions based on individual student needs; holds schools accountable for appropriately using state resources in order to implement effective interventions; facilitates better transitions from middle grades into high school by the exchange of important student-level data; and provides opportunities to learn positive academic behaviors and high school readiness skills for both students and parents in grades six through eight.

As proposed, S.B. 518 amends current law relating to initiatives designed to improve performance of public school students enrolled at the sixth, seventh, and eighth grade levels.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the State Board of Educator Certification is modified in SECTION 1 (Section 21.041, Education Code) of this bill.

Rulemaking authority is expressly granted to the commissioner of education in SECTION 4 (Section 29.100, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 21.041, Education Code, by adding Subsections (e), (f), (f-1), and (f-2), as follows:

(e) Requires the State Board of Educator Certification (SBEC), in proposing rules under Subsection (b)(2) (relating to rules regarding educator certificates), to ensure that a person seeking to teach a subject in the foundation curriculum under Section 28.002(a)(1) (relating to curriculum requirements in grades K-12) above the fifth grade level is required to hold a certificate that indicates the person's mastery of the specific subject taught. Provides that SBEC, to achieve this result:

(1) is required to issue the following classes of certificates: English language arts: Early Childhood-Grade 6; English language arts: Grades 6-12; mathematics: Early Childhood-Grade 6; mathematics: Grades 6-12; science: Early Childhood-Grade 6; science: Grades 6-12; social studies: Early Childhood-Grade 6; and social studies: Grades 6-12; and

(2) is prohibited from issuing a generalist certificate that authorizes a person to teach a subject in the foundation curriculum under section 28.002(a)(1) above the fifth grade level.

(f) Provides that Subsection (e) applies to initial certificates issued on or after September 1, 2012. Provides that Subsection (e) does not affect the validity of a certificate issued before that date or the eligibility of a person holding such a certificate for subsequent renewals of the certificate in accordance with SBEC rules.

(f-1) Requires SBEC, in implementing Subsection (e), to ensure that:

(1) the subject area examinations administered to persons seeking Early Childhood-Grade 6 certificates under Subsection (e)(1) in English language arts, mathematics, science, or social studies are sufficiently rigorous to ensure that persons receiving those certificates are prepared to instruct students at a level that enables the students to meet desired student performance standards;

(2) the subject area examinations administered to persons seeking Grades 6-12 certificates under Subsection (e)(1) in English language arts, mathematics, science, or social studies are at least as rigorous as the examinations administered before September 1, 2012, to persons seeking Grades 8-12 certificates to teach in those subject areas; and

(3) the pedagogy examinations administered to persons seeking certificates under Subsection (e)(1) are revised to ensure rigor and relevance for each elementary, middle or junior high, and high school examination and a person seeking such a certificate is not permitted to take an Early Childhood-Grade 12 pedagogy examination.

(f-2) Provides that Subsection (f-1) and this subsection expire September 1, 2013.

SECTION 2. Amends Section 21.4551, Education Code, by adding Subsection (b-1), to require the commissioner of education (commissioner), in addition to the components described by Subsection (b) (relating to teacher reading academies), to ensure that each academy developed and made available under this section includes a component on providing students with writing instruction.

SECTION 3. Amends Subchapter A, Chapter 28, Education Code, by adding Section 28.015, as follows:

Sec. 28.015. HIGH SCHOOL READINESS PILOT PROGRAM. (a) Requires that the Texas Education Agency (TEA) develop and implement a high school readiness pilot program under which:

(1) a participating school with students enrolled at the sixth, seventh, and eighth grade levels is required to enroll all students at those levels in a student advisory class; and

(2) a participating high school is required to provide annual high school orientation sessions for parents of students who are enrolled at the sixth, seventh, and eighth grade levels in the high school's attendance zone.

(b) Authorizes that an application to participate in the program be submitted by an individual school or by a school district on behalf of multiple schools located in the district. Requires a school, to be eligible to participate in the component of the program described by Subsection (a)(1) to:

(1) be a school for which the district in which the school is located receives funding under Title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. Section 6301 et seq.) or be a school that, as determined by the

commissioner, is a low-performing school under Chapter 39 (Public School System Accountability) or has a high percentage of students who are at risk of dropping out of school, as defined by Section 29.081(d) (defining "students at risk of dropping out of school"); and

(2) have students enrolled at the seventh and eighth grade levels.

(c) Requires TEA to develop standards and guidelines for the student advisory class. Requires that the standards and guidelines, at a minimum, require that the class provide instruction about school culture, school procedures, test-taking skills, study skills, positive academic behaviors, civic and community responsibility, and high school and college readiness; permit the class to be offered as an electronic course through the state virtual school network under Chapter 30A (State Virtual School Network); and provide that the class be taught, if practicable, by an educator who does not instruct the enrolled students in other course work.

(d) Requires TEA to develop standards and guidelines for the high school orientation session. Requires an orientation session to:

(1) prepare a parent for the transition to high school of the parent's child;

(2) allow a parent to meet and interact with high school teachers and administrators;

(3) provide a parent with information regarding high school curriculum, including curriculum requirements for the minimum, recommended, and advanced high school programs under Section 28.025 (High School Diploma and Certificate: Academic Achievement Record); and high school options available to the parent's child, including any high school magnet programs, academies, or similar special programs available in the district;

(4) address the role of the parent in assisting the parent's child in performing successfully in high school; and

(5) provide a parent with a written document that addresses frequently asked questions from parents regarding the transition to high school.

SECTION 4. Amends Subchapter C, Chapter 29, Education Code, by adding Section 29.100, as follows:

Sec. 29.100. EARLY IDENTIFICATION AND INTERVENTION; ACCOUNTABILITY SYSTEM AND FINANCIAL SANCTIONS. (a) Defines, in this section, "compensatory education funding."

(b) Requires a school with students enrolled at the sixth, seventh, or eighth grade level each year to identify the students at each of those grade levels who are at risk of dropping out of school, as defined by Section 29.081(d), or who are likely to become at risk of dropping out of school, as determined in accordance with rules adopted by the commissioner.

(c) Requires a school, not later than July 1 of each year, with students enrolled at a grade level from which students are promoted to high school to provide each high school to which students at the school are promoted with:

(1) the names of the students entering the high school at the beginning of the next school year that have been identified under Subsection (b); and

(2) if applicable, the specific interventions used with each student named under Subdivision (1).

(d) Requires a school with students enrolled at the sixth, seventh, or eighth grade level to each year determine and report to TEA:

(1) the specific interventions that the school will use to address the needs of students at risk of dropping out of school, as defined by Section 29.081(d), who are enrolled at the school at the sixth, seventh, or eighth grade level;

(2) the amount of compensatory education funding that will be used to pay the costs of each intervention; and

(3) the total amount of compensatory education funding that is allocated to the school by the school district.

(e) Requires the commissioner to develop an accountability system to ensure that compensatory education funding used for the benefit of students enrolled at the sixth, seventh, or eighth grade level who are at risk of dropping out of school, as defined by Section 29.081(d), is efficiently spent on effective interventions. Requires the commissioner, in developing the system to establish:

(1) academic progress standards for those students designed to close the achievement gap between those students and students not at risk; and

(2) financial sanctions to be imposed against a district if students do not meet the standards established under Subdivision (1).

(f) Requires the commissioner, as a form of financial sanction described by Subsection (e)(2), to withhold from a district's compensatory education funding an amount determined by the commissioner, not to exceed in any year an amount equal to 10 percent of the district's total compensatory education funding entitlement for that year attributable to students enrolled at the sixth, seventh, or eighth grade level.

(g) Requires the commissioner to adopt rules necessary to implement this section.

SECTION 5. Amends Section 42.152, Education Code, by adding Subsection (t), to require the commissioner, notwithstanding any other provision of this section, to withhold a portion of a district's allotment provided under Subsection (a) (relating to compensatory education allotment) as required by Section 29.100(f).

SECTION 6. Requires the commissioner to implement Section 21.4551(b-1), Education Code, as added by this Act, beginning with reading academies offered on or after January 1, 2012.

SECTION 7. Requires TEA to develop standards and guidelines for the student advisory class and high school orientation session in compliance with Section 28.015, Education Code, as added by this Act, as soon as possible after the effective date of this Act. Requires TEA to fully implement the pilot program required by Section 28.015, Education Code, as added by this Act, not later than the 2012-2013 school year.

SECTION 8. Provides that Sections 29.100 and 42.152(t), Education Code, as added by this Act, apply beginning with the 2012-2013 school year.

SECTION 9. Provides that except as provided by this Act, this Act applies beginning with the 2011-2012 school year.

SECTION 10. Effective date: upon passage or September 1, 2011.