



HOUSE FLOOR AND HOUSE PUBED 5.17-20.21

SB 1365

SB 1365 gives the TEA commissioner 'final and unappealable power' over decisions to sanction and take over a school district for management outside the duly elected school board. It also has been amended to include another bad bill we defeated on the House floor, HB 3731 by Chairman Dutton, which will make it easier for a campus to be taken over per the A-F rating system by essentially making a D rating have the same impact as an F rating. SB 1365 is being picked up by former House Public Education Chair, Rep. Dan Huberty (R-Houston).

Please call your state representative and tell them to vote NO on SB 1365.

Find your state representative here: <https://wrm.capitol.texas.gov/home>

Senate Bill 1365 attempts to rewrite the state's accountability rules so that the Texas Education Agency can circumvent inconvenient court rulings in its attempts to take over school districts and their locally elected boards.

The bill removes the guardrails protecting elected school boards from jurisdictional overreach by the appointed commissioner of education, bestowing "final and unappealable" power to a single unelected official and offering no recourse in the courts for communities to appeal.

Moreover, the bill leaves more districts vulnerable to state takeover, flaunting the will of the communities involved by voiding duly elected school boards and undermining due process for those districts by sidestepping the Open Records Act.

We believe SB 1365 creates a monumental conflict of interest by allowing the appointed commissioner of education to create and implement his own rules for evaluating our schools and also bestowing the power to assume control over any district that doesn't measure up to those rules.

Please tell your representative to vote no on SB 1365. The commissioner of education should be compelled to follow state law, and our courts must retain the authority to assure that he does so.

SB 89

TSTA supports Senate Bill (SB) 89 by Menendez (D-San Antonio), which provides for a temporary individual education plan (IEP) supplement that would document the ways in which learning for students with special needs was disrupted or out of compliance due to the COVID-19 pandemic. The House companion is House Bill (HB) 144 by M. González (D-Clint). This bill aligns with our COVID Response Legislative agenda, where we urged the 87th Texas Legislature to "allow for temporary measures to efficiently account for services and/or evaluations that were interrupted, reduced, delayed or suspended for students who receive special education services." This student population has been the most affected by school closures and remote learning, and TSTA supports measures to efficiently address learning loss while holding schools and teachers harmless for services missed.

HPE – Monday Formal and Tuesday Hearing

After having decided to discontinue public hearings for the past several weeks, the House Public Education (HPE) committee met Tuesday May 18 to hear Senate Bill (SB) 1716 by Taylor, a voucher bill that TSTA opposes. The HPE committee held a formal meeting Monday and for the second time this session voted on bills that have not been publicly heard by committee. Although SB 1716 was scheduled to be included in Monday's vote, the HPE committee instead announced that it would meet again Tuesday to hear the bill.

SB 1716 is a voucher bill that would circumvent the public school's responsibility to provide special education services by allowing parents to decide how to spend tax dollars. TSTA opposes SB 1716 and signed on to testimony submitted by the Coalition for Public Schools, a group of education stakeholders that opposes the expenditure of public funds to support private entities through vouchers. This bill would codify the governor's Supplemental Special Education Services voucher program that was created with the first round of COVID emergency relief funds and without legislative approval. The program reimburses parents up to \$1500, money intended for use by public schools, to purchase supplemental education services or materials obtained through private vendors.

In committee, three amendments, offered by Reps. VanDeaver, Bell and Buckley were approved unanimously to be added to the bill. Rep. VanDeaver's amendment would involve the admission review and dismissal (ARD) committee in the process to obtain supplemental services and would set an expiration date for the program of September 1, 2024. Rep. Bell's amendment changes the word "credit" to "grant" to make clear payment for services does not credit individual student accounts. The Buckley amendment would require that the funds be managed through an Education Service Center rather than parents.

TSTA continues to oppose this bill. We believe federal relief funds should be given directly to schools to be used according to local determinations, including first funding compensatory services to meet the federal requirements of a free and appropriate public education (FAPE) under the Individuals with Disabilities Act (IDEA). While we support the amendments and agree these changes improve the bill, remote management of funds to support supplemental services is unnecessary, inefficient, does not guarantee that the supplemental services be recommended or even approved by the ARD committee. Decentralizing fund management in this way, especially outside the recommendations of the ARD committee, would create and expand issues related to quality control of vendors.

The bill passed out of committee with 10 ayes, 1 nay (Allen).

OTHER BILLS VOTED OUT OF HPE MONDAY MAY 17

SB 1955 by Taylor, relating to learning pods. TSTA does not support state-funding for home schools and believe this bill leaves the door open to this - passed 12-0

TSTA SUPPORTS

SB 2066 by Menendez, relating to terminology describing students learning English as "emergent bilinguals" passed 12-0. TSTA supports using strength-based language to describe students

TSTA is NEUTRAL

SB 368 by Kolkhorst, relating to FAFSA opt-out forms – passed 12-0

SB 776 by Lucio (HB 2193 by Dominguez), relating to UIL participation by students with special needs - passed 12-0

SB 1697 by Paxton (HB 3557 by King), relating to protections against retaking a course to raise student GPA - passed 12-0

SB 2158 by Campbell, relating to fingerprint and DNA identification kits passed 12-0

SB 797 by Hughes, relating to the display of the national motto passed 12-0

CSSB 1696 by Paxton, relating to sharing information related to cybersecurity issues passed 10-2 (Allen, Meza)

SB 1191 by Seliger, relating to SRO definition passed 12-0