

**BUDGET:**

**House Appropriations Committee's Subcommittee on Articles I, IV, and V** – The Subcommittee on Articles I, IV, and V (General Government, Judiciary, and Public Safety & Criminal Justice) met on Monday in a formal meeting to discuss pending items and riders.

**House Appropriations Committee's Subcommittee on Article II** – The Subcommittee on Article II (Health & Human Services) met on Monday in a formal meeting to discuss pending items and riders.

**House Appropriations Committee's Subcommittee on Article III** – The Subcommittee on Article III (Education) met on Monday and Tuesday in a formal meeting to discuss pending items and riders.

**House Appropriations Committee's Subcommittee on Articles VI, VII, and VIII** – The Subcommittee on Articles IV, VII, and VIII (Natural Resources, Business & Economic Development, and Regulatory) met on Tuesday in a formal meeting to discuss pending items and riders.

**Senate Finance Committee** – On Wednesday, the Senate Finance Committee took up workgroup recommendations on **SB 1**, the **general appropriations bill**. They had posted a meeting for Thursday, but it was cancelled because they completed their work on Wednesday.

**Reported From Committee:**

**HB 1514** by Brooks Landgraf (R-Odessa) would make several changes to **unclaimed property administration**. *It was reported favorably from the House Business & Industry Committee.*

**Next Week:**

**Monday, March 29, 2021:**

**11:00 a.m. House Appropriations Committee** will meet in E1.03o of the capitol extension to take up recommendations from the subcommittees for the agencies in all articles of the budget.

**Tuesday, March 30, 2021:**

**7:30 a.m. House Appropriations Committee** will meet in E1.03o of the capitol extension to take up recommendations from the subcommittees for the agencies in all articles of the budget.

**9:00 a.m. Senate Finance Committee** will meet in E1.036 of the capitol extension to take up:

**SB 1336** by Kelly Hancock (R-North Richland Hills) would limit the **growth in general revenue** to population growth plus inflation.

**Wednesday, March 31, 2021:**

**7:30 a.m. House Appropriations Committee** will meet in E1.03o of the capitol extension to take up recommendations from the subcommittees for the agencies in all articles of the budget.

**PUBLIC EDUCATION:**

**House Public Education Committee** – On Tuesday, the House Public Education Committee took up:

**HB 144** by Mary Gonzalez (D-El Paso) would require school districts to prepare a supplement to the written statement of the **individualized education program** developed for **special education students** indicating whether the written report of the child’s full individual and initial evaluation was completed by the date required. In support were representatives of Texas Association of School Psychologists, Disability Rights Texas, Texas Association of School Administrators, Coalition of Texans with Disabilities, Texas Association of School Administrators, The Arc of Texas, Mental Health America of Greater Houston, Texas Counseling Association, Texas State Teachers Association, Texas Association of Community Schools, National Alliance on Mental Illness Texas, Texas Association for Behavior Analysis Public Policy Group, City of Houston mayor’s Office, Texas PTA, Intercultural Development Research Association, National Association of Social Workers, Texans Care for Children, Texas Elementary Principals and Supervisors Association, and three individuals. There was no opposition. *It was left pending.*

**HB 363** by Gary VanDeaver (R-New Boston) would require operators that possess any **private student data** to use the unique identifier established by the Texas Student Data System for any account creation, data upload, data transmission, analysis, or reporting to mask all personally identifiable student information; and would require operators to adhere to a state-required student data sharing agreement. In support were representatives of Texas Computer Education Association, Disability Rights Texas, Texas State Teachers Association, Texas Association of School Administrators, Texas Association of School Boards, Texas School Alliance, Texas AFT, Raise Your Hand Texas, Texas Association of Community Schools, Texas PTA, Texas Council of Administrators of Special Education, Texas Classroom Teachers Association, and Texas Elementary Principals and Supervisors Association. There was no opposition. *It was left pending.*

**HB 999** by Diego Bernal (R-San Antonio) would extend **individual graduation committees** to 2023. In support were representatives of Texas Association of School Administrators, Edgewood ISD, Bexar County Education Coalition, Texas Association of Rural Schools, Texans Advocating for Meaningful Student Assessment, Disability Rights Texas, Coalition of Texans with Disabilities, Texas Association of School Boards, Texas School Alliance, Association of Texas Professional Educators, Texas AFT, The Arc, of Texas, Texas Association of Midsize Schools, Texas State Teachers Association, Texas Association of Community Schools, Texas PTA, Intercultural Development Research Association, Texas Council of Administrators of Special Education, Texas

Classroom Teachers Association, and Texas Legislative Education Equity Coalition. There was no opposition. *It was left pending.*

**HB 2120** by Keith Bell (R-Forney) would require the **complaints process of school districts** to include an initial administrative hearing and an opportunity to appeal the administrative decision following the initial hearing; and unless otherwise agreed to by the parties, provide for a resolution of the complaint no later than 120 calendar days after the date on which the complaint was filed. In support were representatives of Disability Rights Texas, Coalition of Texans with Disabilities, Association of Texas Professional Educators, Texas AFT, The Arc of Texas, Texas Classroom Teachers Association, and one individual. There was no opposition. *It was left pending.*

**HB 2261** by Gene Wu (D-Houston) would allow **municipal management districts** to provide public education facilities and **public education services**. In support were representatives of Texas Association of School Administrators, Texas Association of School Boards, City of Houston Mayor's Office, Hunton Andrews Kurth, and Texas Public Charter Schools Association. There was no opposition. *It was left pending.*

**HB 2287** by Senfronia Thompson (D-Houston) would require the Texas Education Agency, in coordination with the Collaborative Task Force on Public School Mental Health Services to establish and maintain an **electronic database of mental health services and trainings** provided by school districts and charters to assist the task force and the institutions of higher education in evaluating mental health services. In support were representatives of Texas Association of School Psychologists, Mental Health America of Greater Houston, Tomball ISD, Disability Rights Texas, Texas Association of School Administrators, Texas Association of School Boards, Texas Criminal Justice Coalition, Texas AFT, Mental Health America of Greater Houston, Texas Counseling Association, Texas State Teachers Association, Texas Association of Community Schools, National Alliance on Mental Illness Texas, Texas PTA, Intercultural Development Research Association, Methodist Healthcare Ministries, Texas Council of Administrators of Special Education, National Association of Social Workers-Texas Chapter, Mental Health America of Greater Dallas, Children at Risk, Texans Care for Children, Texas Elementary Principals and Supervisors Association, United Ways of Texas, and Texas Public Charter Schools Association. There was no opposition. *It was left pending.*

**HB 2519** by Drew Darby (R-San Angelo) would make several changes regarding the authority of **State Board of Educator Certification**. In support were representatives of Texas State Teachers Association, Association of Texas Professional Educators, Texas AFT, Texas Classroom Teachers Association, and one individual. In opposition were representatives of Texas Association of School Administrators, Texas Association of School Boards, and Texas Association of Community Schools. *It was left pending.*

**HB 2557** by Glenn Rogers (R-Graford) would allow the governing body of school districts or charters to approve a program under which the district or school provides authorization for eligible persons to serve as **school security volunteers**. In support were representatives of Gun Owners of America and

Texas State Teachers Association. In opposition were representatives of Disability Rights Texas, Coalition of Texans with Disabilities, Texas AFT, The Arc of Texas, and Intercultural Development Research Association. *It was left pending.*

**HB 2954** by Senfronia Thompson (D-Houston) would require the Texas Education Agency, to the extent funds are appropriated to the agency, to establish a **suicide prevention, intervention, and postvention program** for optional implementation at an elementary school campus that has experienced suicide loss. In support were representatives of Texas Association of School Psychologists, TAPT Through a PARENTS TEARS, Mental Health America of Greater Houston, Tomball ISD, Disability Rights Texas, Texas Association of School Administrators, Texas Association of School Boards, Association of Texas Professional Educators, Texas AFT, Texas Medical Association, Texas Counseling Association, Texas State Teachers Association, Equality Texas, Texas Association of Community Schools, National Alliance on Mental Illness Texas, Texas PTA, Methodist Healthcare Ministries, Equality Texas, Texas Council of Administrators of Special Education, Texas Classroom Teachers Association, National Association of Social Workers-Texas Chapter, National Alliance on Mental Illness, Mental Health America of Greater Dallas, Children at Risk, Texans Care for Children, Texas Elementary Principals and Supervisors Association, United Ways of Texas, Texas Public Charter Schools Association, and three individuals. In opposition were two representatives of Citizens Commission on Human Rights and one individual. *It was left pending.*

**Senate Business & Commerce Committee** – On Tuesday, the Senate Business & Commerce Committee took up:

**SB 347** by Angela Paxton (R-McKinney) would include local **school health advisory councils** as governmental bodies for purposes of the **open meetings** and public information laws. In support were representatives of Texas Values Action, Texas Press Association, and one individual. In opposition were representatives of Texas Association of School Administrators, Texas Campaign to Prevent Teen Pregnancy, Texas Association of School Boards, Texas Association of Community Schools, Texas PTA, Texas Council of Administrators of Special Education, and ACLU of Texas. *It was left pending.*

**House International Relations & Economic Development Committee** – On Wednesday, the House International Relations & Economic Development Committee took up:

**HB 618** by Harold Dutton (D-Houston) would allow open-enrollment charter schools to participate in the **Jobs and Education for Texans (JET) Grant Program**. *It was left pending.*

**House Judiciary & Civil Jurisprudence Committee** – On Wednesday, the House Judiciary & Civil Jurisprudence Committee took up:

**HB 1788** by Cole Hefner (R-Mount Pleasant) would grant **immunity** to school districts, charters, and private schools from liability for **damages** resulting from

any reasonable action taken by **security personnel** or any other employee who has written permission by the governing board to carry a firearm on campus to maintain the safety of the school campus. *It was left pending.*

**House Pensions, Investments & Financial Services Committee** – On Wednesday, the House Pensions, Investments & Financial Services Committee took up:

**HB 1585** by Stan Lambert (R-Abilene) is the sunset bill for the **Teacher Retirement System of Texas**. *It was left pending.*

**Senate Education Committee** – On Thursday, the Senate Education Committee took up:

**SB 28** by Paul Bettencourt (R-Houston) would make several changes regarding **open-enrollment charter schools**. *It was left pending.*

**SB 203** by Charles Schwertner (R-Georgetown) would require the **University Interscholastic League** to select **locations** for statewide competitions in extracurricular activities using a statewide request for proposals process. *It was left pending.*

**SB 226** by Angela Paxton (R-McKinney) would add **virtual learning** and virtual instruction to the required minimum academic qualifications for **teacher certification**. *It was left pending.*

**SB 289** by Kel Seliger (R-Amarillo) would allow school districts to excuse a **student** who is 15 years of age or older from attending school to **visit a driver's license office** to obtain a driver's license or learner license of no more than one day for each license. *It was left pending.*

**SB 481** by Lois Kolkhorst (R-Brenham) would allow a **student** enrolled in a school district that offers only virtual instruction for any part of a school year to **transfer** for that school year to another **school district that offers in-person instruction**. *It was left pending.*

**SB 1171** by Larry Taylor (R-Friendswood) would make several changes related to **electronic administration of assessment instruments**. *It was left pending.*

**SB 1365** by Paul Bettencourt (R-Houston) would make several changes to public **school organization and fiscal management**. *It was left pending.*

#### **Reported/Voted From Committee:**

**HB 159** by Mary Gonzalez (D-El Paso) would require the State Board of Educator Certification to specify what each **educator seeking certification** is expected to know and be able to do, particularly with regard to **students with disabilities**. *It was voted out favorably from the House Public Education Committee.*

**HB 699** by Jon Rosenthal (D-Houston) would require school districts to excuse a student from attending school for an **absence** resulting from a **serious or life-threatening illness** or treatment that makes the student's attendance infeasible. *It was voted out favorably as substituted from the House Public Education Committee.*

**HB 725** by Jared Patterson (R-Frisco) would grant eligibility for free **pre-kindergarten** programs to children who have been in **foster care** in another state or territory if the child now resides in Texas. *It was reported favorably from the House Public Education Committee.*

**HB 1114** by Shawn Thierry (D-Houston) would allow school health care programs to provide **mental health services**. *It was reported favorably from the House Public Education Committee.*

**HB 1603** by Dan Huberty (R-Humble) would remove the sunset date authorizing **individual graduation committees** to satisfy high school graduation requirements for charter schools. *It was reported favorably from the House Public Education Committee.*

**HB 1650** by Matt Schaefer (R-Tyler) would authorize a person who successfully completes a coherent sequence of courses in the plumbing trade offered through a **career and technology education program** to apply for and take an examination for a license as a **tradesman plumber-limited license holder**. *It was voted out favorably from the House Licensing and Administrative Procedures Committee.*

**SB 179** by Eddie Lucio, Jr. (D-Brownsville) would require **school counselors** to spend at least 80 percent of their total work time on direct counseling program services. Time spent in administering assessment instruments would not be considered a direct counseling service. *It was voted out favorably as substituted from the Senate Education Committee.*

**SB 338** by Beverly Powell (D-Burleson) would authorize school districts to adopt uniform general conditions adopted by the Texas Facilities Commission to be incorporated in all of the **school district building construction contracts**. *It was voted out favorably from the Senate Education Committee.*

**SB 442** by Bryan Hughes (R-Mineola) would require local **school health advisory councils** to adopt a policy establishing a process for the adoption of **curriculum** or materials for the district's **human sexuality instruction** and to provide a process for public meetings with an opportunity for public comment. *It was voted out favorably as substituted from the Senate Education Committee.*

**Texas AFT Comments on School Safety and Federal Funding** – On March 19<sup>th</sup>, Texas AFT President Zeph Capo commented on updated guidelines from the Centers for Disease Control and Prevention, the \$12.4 billion in federal aid to Texas schools from the American Rescue Plan, and the \$803 million in the act's funding for rapid testing on Texas campuses.

**School Safety** - She said, "The CDC update noting 3 feet of distancing is acceptable in some school situations is a worrisome distraction. We already have many classrooms with less than 6 feet of distancing in Texas, since the state guidelines were to use 6 feet when 'feasible.' We need to concentrate on ways for our state and districts to make it truly safe to send kids and teachers into a school - lifting mask requirements and trying to squeeze more kids in a class is not going to do that. We need to continue to emphasize masks, as much distancing as possible, increased COVID-19 testing, air quality enhancements, and getting all school employees vaccinated by the end of March. Regarding the

funding for COVID-19 testing] We've always pushed for more COVID-19 testing in schools and were happy when our state initiated a rapid-testing program in October. The new federal funding will ensure we can have robust testing programs statewide to keep our campuses safer."

**Schools and Federal Funding** – She said, "All of these measures require money, which is why we need to stop the state from using federal aid for schools on other budget items. The pandemic has put enormous holes in our local school budgets, with additional costs that threaten to cut resources needed to keep our kids in safe schools and provide them with the education they deserve. Texas chose to supplant the \$1.3 billion in Cares Act funding to schools last spring, using those dollars to plug existing holes in the state budget instead of sending new funding to school districts in dire need of assistance. The swap in dollars was a devastating blow, but the new stimulus package is an incredible opportunity to ensure we send direct aid to our schools. Another \$5.5 billion to Texas schools from the second round of stimulus aid also is in danger of being supplanted for other purposes. If our state leaders do the right thing, these packages will infuse \$17.9 billion into our public education system to spur a full recovery and forge a safe path forward. We need to stop any attempt to swap money into budget holes and realize that every penny sent to our schools will play a direct role in helping our students, school employees, and families celebrate a full recovery from the pandemic."

***Next Week:***

**Monday, March 29, 2021:**

**10:00 a.m. House Juvenile Justice & Family Issues Committee** will meet in E2.014 of the capitol extension to take up:

**HB 822** by DeWayne Burns (R-Cleburne) would require **expulsion** of a public school student engages in conduct containing the elements of the offense of **terroristic threat**.

**HB 3165** by Morgan Meyer (R-Dallas) would make it an affirmative defense to an allegation of **truant conduct** that one or more absences were due to the child's voluntary absence from the child's home because of abuse.

**Tuesday, March 30, 2021:**

**8:00 a.m. House Public Education Committee** will meet in Room 140 of the John H. Reagan State Office Building to take up:

**HB 256** by Philip Cortez (D-San Antonio) would require school district employment policies to include anti-bullying measures to address bullying in the workplace, including provisions to address the **bullying of a teacher by a parent**.

**HB 332** by James Talarico (D-Round Rock) would allow compensatory education allotment funding to be used to pay costs associated with implementing **social and emotional learning** programs.

**HB 437** by Vikki Goodwin (D-Austin) would require at least one-half credit in **personal financial literacy** in the curriculum requirements for the foundation high school program.

**HB 538** by Jared Patterson (R-Frisco) would allow students to enroll in a **full-time online educational program** (by removing the language that only allows full-time enrollment for students enrolled before January 1, 2013).

**HB 1068** by Alma Allen (D-Houston) would entitle school district employees that have available **personal leave** to use the leave for compensation for a day designated as a school holiday for which the employee would not otherwise receive compensation.

**HB 1133** by Travis Clardy (R-Nacogdoches) would allow a county for which a **county equalization tax** was adopted to order an election on revoking the tax.

**HB 1468** by Keith Bell (R-Forney) would authorize school districts to develop procedures and curriculum to provide instruction through **virtual courses** or programs **for students in the district** and that are not provided as part of the state virtual school network.

**HB 1496** by Gary VanDeaver (R-New Boston) would require **school districts** that enter into a **purchasing contract** valued at \$25,000 or more including a cooperative purchasing program to document any **contract-related fee**, including any management fee paid by or to the district. (also in Procurement)

**HB 2230** by John Bucy (D-Austin) would require the Commissioner of Education to establish a task force to study the utility, efficacy and feasibility of **incorporating fine arts into the foundation curriculum**.

**HB 2344** by Erin Zwiener (D-Driftwood) would require the **writing performance portion of an assessment instrument** to be scored by a classroom teacher assigned to the same campus as the student to whom the assessment instrument is administered.

**HB 2605** by Jon Rosenthal (D-Houston) would require Texas Education Agency to develop guidelines and materials to educate students, parents, and coaches regarding **sudden cardiac arrest**; and would require students participating in an interscholastic athletic activity and the student's parent to sign a form that acknowledges receiving and reading the information. It would require a student to be removed from a practice or competition immediately if the student has exhibited a warning sign or symptom of sudden cardiac arrest.

**HB 3204** by Harold Dutton (D-Houston) would define **career readiness** for purposes of the College, Career and Military Readiness bonus as a graduate that both achieves college readiness standards used for accountability purposes on the ACT, SAT or assessment designated by the Texas Higher Education Coordinating Board and either earns an industry-accepted certification or during a time period established by commissioner rule, is employed at or above a minimum salary level established by commissioner rule.

**HB 3270** by Harold Dutton (D-Houston) would make several changes to public **school organization and fiscal management**.

**HB 3346** by Terry Meza (D-Irving) would add for elementary and middle school campuses an **indicator** that accounts for **improving student preparedness** for success in subsequent grade levels that is measured by standards, adopted by the Commissioner of Education, not including performance on assessment instruments.



**HB 3528** by Scott Sanford (R-McKinney) would expand eligibility for courses offered through the state **virtual school network** to kindergarten or above (instead of grade three and above).

**HB 3557** by Ken King (R-Canadian) would authorize a **parent** or guardian to **elect for a student to repeat** or delay prekindergarten and kindergarten, to repeat grades one through eight, or to repeat a high school course.

**HB 3591** by Jacey Jetton (R-Sugar Land) would require the Texas Education Agency to establish a **high-speed internet access grant program** to provide grants to school districts and charters to provide high-speed internet to facilitate instruction and learning for students enrolled in the district or school.

**HB 3643** by Ken King (R-Canadian) would establish the **Texas Commission on Virtual Education** to develop and make recommendations regarding the delivery of virtual education in the public school system and state funding for virtual education under the Foundation School Program.

### **STATEWIDE – COVID-19 RESPONSE:**

**DSHS Weekly Vaccine Distribution Update** – On March 19<sup>th</sup> the Department of State Health Services issued its weekly update on Vaccine distribution in Texas for the week of March 22<sup>nd</sup>. It said, “Over 900,000 first doses of COVID-19 vaccine will be shipped to providers across Texas next week. The Texas Department of State Health Services is allocating 685,470 doses (*compared to 656,810 doses last week*) to at least 481 providers (*compared to 445 last week*) in 183 counties (*compared to 178 counties last week*). Here are some statistics provided:

- More than 230,000 additional first doses are expected to be available to pharmacy locations and federally-qualified health centers directly from the federal government.
- Texas has now administered more than 8.8 million doses, an increase of 1.2 million in the last week.
- Over 6 million people have received at least one dose and more than 3 million are fully vaccinated.
- Among Texas seniors, 59 percent have received at least one dose and one in three are now fully vaccinated.
- Nearly one in seven of all Texans at least 16 years old are now fully vaccinated.

People ages 50 to 64 became eligible for vaccination last week. They are added to health care workers, long-term care residents, people 65 and older, people with chronic health care conditions that may increase their risk of severe COVID-19, and school and child care workers. DSHS estimates that 12 to 14 million Texans are currently eligible to be vaccinated. In addition to the first doses mentioned above, the state is ordering 674,580 doses (*compared to 578,320 second doses last week*) intended as the second dose for people first vaccinated a few weeks ago. DSHS automatically orders second doses to arrive at providers in the week they can begin to be administered, so they will be available when needed. People should be able to return to the same provider to receive their second dose within six weeks of getting the first.

**Vaccine Eligibility Expanding to All Adults** – On March 23<sup>rd</sup>, the Texas Department of State Health Services (DSHS) announced that all adults will be eligible to receive a COVID-19 vaccine in Texas beginning Monday, March 29<sup>th</sup>. DSHS expects vaccine supplies to increase next week, and providers in multiple parts of the state have made great strides in vaccinating people in the current priority groups. The state’s Expert Vaccine Allocation Panel recommended opening vaccination to everyone who falls under the current Food and Drug Administration emergency use authorizations to protect as many Texans as possible. Imelda Garcia, DSHS associate commissioner for laboratory and infectious disease services and the chair of the Expert Vaccine Allocation Panel said, “We are closing in on 10 million doses administered in Texas, and we want to keep up the momentum as the vaccine supply increases. As eligibility opens up, we are asking providers to continue to prioritize people who are the most at risk of severe disease, hospitalization and death – such as older adults.” DSHS has directed vaccine providers to prioritize people 80 years old or older when scheduling appointments and accommodate anyone in that age group who presents for vaccination, whether or not they have an appointment, by immediately moving them to the front of the line. That will ensure vaccination of anyone 80 or older with as small a burden on themselves as possible. Also next week, DSHS will launch a website to allow people to register for a shot through some public health providers. The public will be able to enroll in the Texas Public Health Vaccine Scheduler to identify upcoming vaccine clinics hosted by DSHS or a participating local health department and be notified when new clinics and appointments become available. Online registration will be the best option for most people. For those for whom that is not an option, DSHS will launch a toll-free number to provide assistance making an appointment with a participating provider or locating another provider that has vaccine available. To date, Texas has administered more than 9.3 million doses of COVID-19 vaccine, equating to more than 6 million people with at least one dose and more than 3 million fully vaccinated. Most vaccines are authorized for people 18 years old and older; the FDA has authorized the Pfizer vaccine for use in people 16 and older.