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**INITIAL INTERIM REPORT**  
TO THE EIGHTY-EIGHTH TEXAS LEGISLATURE

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**HOUSE SELECT COMMITTEE ON EDUCATIONAL  
OPPORTUNITY AND ENRICHMENT**  
AUGUST 2023

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**HOUSE SELECT COMMITTEE ON  
EDUCATIONAL OPPORTUNITY AND ENRICHMENT  
TEXAS HOUSE OF REPRESENTATIVES  
INITIAL INTERIM REPORT  
AUGUST 2023**

**A REPORT TO THE  
HOUSE OF REPRESENTATIVES  
88TH TEXAS LEGISLATURE**

**BRAD BUCKLEY  
CHAIRMAN**

**COMMITTEE CLERK  
JACK REED**

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Select Committee On  
Educational Opportunity and Enrichment

August 11, 2023

Brad Buckley  
Chairman

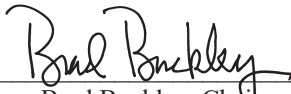
P.O. Box 2910  
Austin, Texas 78768-2910

The Honorable Dade Phelan  
Speaker, Texas House of Representatives  
Members of the Texas House of Representatives  
Texas State Capitol, Rm. 2W.13  
Austin, Texas 78701

Dear Mr. Speaker and Fellow Members:

The Select Committee on Educational Opportunity and Enrichment of the Eighty-eighth Legislature hereby submits its initial interim report including recommendations for consideration by the Legislature.

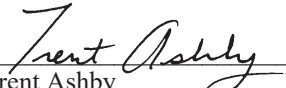
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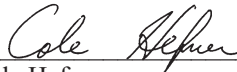
  
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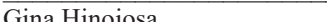
  
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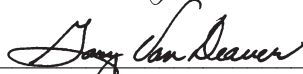
  
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# SELECT COMMITTEE ON EDUCATIONAL OPPORTUNITY AND ENRICHMENT

## Introduction

Speaker Phelan formed the House Select Committee on Educational Opportunity and Enrichment on June 12, 2023, with the explicit charge of considering issues that broadly affect educational opportunities for K-12 students in Texas and make recommendations for:

1. Ensuring all Texas youths enjoy equal educational opportunity and the freedom to obtain a quality education, regardless of circumstance;
2. Improving outcomes for Texas public school students and meaningfully supporting educators and educational institutions; and
3. Modernizing assessment and accountability measures for Texas schools educating K-12 students.

The Committee's first hearings were on July 11-12, 2023, to consider all three charges. Members heard from 52 witnesses, totaling more than 17 hours of testimony and conversation.

The archived recordings of these interim hearings can be found at the following links:

July 11: [https://tlchouse.granicus.com/MediaPlayer.php?view\\_id=78&clip\\_id=25041](https://tlchouse.granicus.com/MediaPlayer.php?view_id=78&clip_id=25041)

July 12: [https://tlchouse.granicus.com/MediaPlayer.php?view\\_id=78&clip\\_id=25041](https://tlchouse.granicus.com/MediaPlayer.php?view_id=78&clip_id=25041)

Witnesses are listed in alphabetical order:

- Bryce Adams, *Texas Public Charter Schools Association*
- Steven Aleman, *Disability Rights Texas*
- Jennifer Allmon, *Texas Catholic Conference of Bishops*
- Michael Barba, *Texas Public Policy Foundation*
- Tiffany Barfield, *Yes Every Kid*
- Andrew Benscoter, *Trinity Charter Schools & Upbring*
- Vivian Burleson, *Self*
- Andrea Chevalier, *Texas Council of Administrators of Special Education*
- Grant Coates, *The Miles Foundation*
- Laura Colangelo, *Texas Private Schools Association*
- Stacy Combest, *Texas Commission on Special Education Funding, Chair*
- John Craft, *Northside ISD*
- Elizabeth Dickey, *The Rosedale School, Austin ISD*
- Robert Enlow, *Ed Choice*
- Thomas Evans, *Self*
- Jay Ferguson, *Texas Private Schools Association*
- Bobby Garcia, *Manor ISD*
- Emily Garcia, *Texas Education Agency*



- Bruce Gearing, *Leander ISD, Texas Association of School Administrators*
- Kate Greer, *The Commit Partnership*
- Ken Gregorski, *Katy ISD, Texas School Alliance*
- Donna Hale, *Miami ISD*
- Tracy Hanson, *Oak Creek Academy*
- Lonnie Hollingsworth, *Texas Classroom Teachers Association*
- Kurtis Indorf, *Great Hearts Texas*
- Latoya Jackson, *Self*
- Kim Kofron, *Children at Risk*
- Robert LeGros, *Cathedral School of St. Mary*
- Leo Lopez, *MoakCasey*
- Jason Marshall, *Texas Associations of Community Schools*
- Sonia Martin Velicias, *Self*
- Mike Meyer, *Texas Education Agency*
- Ayaan Moledina, *Self*
- Heath Morrison, *Montgomery ISD*
- Bobby Ott, *Temple ISD*
- Justin Porter, *Texas Education Agency*
- Adam Powell, *Communities In Schools of Texas*
- Mary Lynn Pruneda, *Texas 2036*
- Christy Rome, *Texas School Coalition*
- Ana Rush, *Del Valle ISD*
- Josh Sanderson, *Equity Center*
- Emily Sass, *Texas Public Policy Foundation*
- Marian Schutte, *Texas Education Agency*
- John Scott, *Texas Education Agency*
- Greg Smith, *Fast Growth Schools Coalition*
- Michelle Smith, *Raise Your Hand Texas*
- Benny Soileau, *Huffman ISD, Texas Association of Midsize Schools*
- Casey Sullivan Taylor, *Excel in Ed*
- Justin Terry, *Forney ISD, Fast Growth Schools Coalition*
- Iris Tian, *Texas Education Agency*
- Leslie Watson, *North Lamar ISD*
- Randy Willis, *Texas Association of Rural Schools*

Additionally, 2,950 comments were submitted via the House comment portal. Those responses can be found at the following links:

Educational opportunity & freedom to obtain a quality education (1,545 comments received):

<https://capitol.texas.gov/tlodocs/88R/publiccomments/Meetings/C2322023071209001/InputItems/e839b4c7-a49d-4de1-84c1-0c68b34be843.pdf#navpanes=0>

Improving student outcomes, supporting educators & institutions (996 comments received):

<https://capitol.texas.gov/tlodocs/88R/publiccomments/Meetings/C2322023071209001/InptItems/6cd2b0f9-43f9-4a40-8a3c-194666cca629.pdf#navpanes=0>

Modernizing assessment and accountability measures for Texas schools (409 comments received):

<https://capitol.texas.gov/tlodocs/88R/publiccomments/Meetings/C2322023071209001/InptItems/6332fc9e-a889-4485-8e81-5fab625bb569.pdf#navpanes=0>

### *Summary of Legislative Action in the 88th Regular Session*

The 88th Legislature passed a number of funding initiatives in the Regular Session to assist Texas public schools. The following is a statewide overview of supports for Texas' public educators and more than 5 million children who are enrolled in the Texas public education system.

For the 2024-2025 biennium, funding for public education totals just over \$93.6 billion. This includes a significant increase of over \$26.4 billion in state General Revenue accounted for in the General Appropriations Act and Supplemental Appropriations Act. Of that increase, the following has been passed by the legislature and signed by Governor Abbott:

1. \$18 billion in new funding to reduce the amount of local school district taxes paid by our constituents. This includes \$12.6 billion to compress the maintenance and operations tax rate, as well as \$5.4 billion to increase the homestead exemption. These allocations of state revenue will replace local tax collections in the school finance system resulting in the state providing for a greater share of public education funding while reducing recapture by \$5.5 billion.
2. \$3.2 billion to fully fund projected enrollment growth.
3. \$2.4 billion to fund the increase in golden penny yield.
4. \$1.4 billion in new funding for school safety measures. This includes \$300 million in the school safety allotment (the school safety allotment was \$100 million in the previous biennium) and \$1.1 billion in school safety grants. An additional \$400 million in school safety funding was provided through budget execution in the fall of 2022, for a combined \$1.8 billion in new funding for school safety.
5. \$500.0 million in additional state aid under the Foundation School Program, Additional State Aid for State Approved Instructional Materials, which would provide additional state aid to each district to support districts in evaluating, adopting, or using instructional materials approved by the State Board of Education. The funding will also be used to expand access to open education resource instructional materials.
6. \$589 million to support health insurance premiums for teachers participating in TRS ActiveCare.
7. \$307 million in funding increases for districts for technology and instructional materials; and
8. \$60 million for the new Instructional Materials Allotment.

In addition to new state funding for the Foundation School Program, the legislature passed measures to address inflationary pressures facing our retired public school employees. Under the bills passed and signed by the Governor, retirees of our public education system will receive both a supplemental payment and a cost of living adjustment. This includes:

1. \$1.6 billion for a supplemental annuity payment for retirees; and
2. \$3.4 billion to provide a cost of living adjustment to retirees, subject to voter approval.

*The following report is the initial response summarizing the work done by the Committee during the July hearings.*

# Topic 1: Ensuring all Texas youths enjoy equal educational opportunity and the freedom to obtain a quality education, regardless of circumstance.

## Background

Texas is home to more than 6.2 million K-12 students, roughly 85% of whom attend a public or public charter school, 8% of whom are homeschooled, and 4% of whom attend private school.

Learning Option	Student Enrollment	Percent of Population	Details
Intra-district transfers	No information collected	N/A	<ul style="list-style-type: none"> <li>Districts may allow for this by established enrollment policy.</li> <li>Ultimately, the board of trustees determines assignment and transfer of students and may deny petition of transfer based on ‘reasonable basis for denying the request.’</li> </ul>
Inter-district transfers	2021-22: <b>204,241</b>	3%	<ul style="list-style-type: none"> <li>Parents may request transfer to another district but receiving district determines whether to accept (i.e., not open-enrollment).</li> <li>Districts may charge tuition on transfers.</li> </ul>
Public charter schools	2022-23: <b>404,073</b>	6.5%	<ul style="list-style-type: none"> <li>Charter schools provide public school options for families outside of their assigned school district.</li> <li>Open-enrollment, if oversubscribed then students selected by lottery.</li> </ul>
Virtual and Hybrid	TXVSN: <b>39,300</b> SB 15 eligible: <b>18,565</b> SB 15 ineligible: <b>9,927</b>	1%	<ul style="list-style-type: none"> <li>SB 15 (87R) provided the option for LEAs to offer virtual instruction to students, with full funding for eligible students. Statute expires 9/1/23.</li> <li>TXVSN also allows full time virtual school; temporary waivers have been extended for expiring SB 15 schools.</li> </ul>
Private Schools	2020-21: <b>258,563</b> Placement under IDEA: <b>927</b>	4%	<ul style="list-style-type: none"> <li>Private schools provide options for families aligned to a variety of models &amp; school designs; families pay tuition and other costs.</li> <li>Under IDEA, public schools pay for a small number of students with disabilities to be placed in private schools or facilities.</li> </ul>
Homeschool	2020-21: <b>477,802</b>	7.7%	<ul style="list-style-type: none"> <li>Parents may choose to educate their children, have children educated in another home, or hire a tutor to provide education</li> <li>Families pay for curriculum and/or services.</li> </ul>

Within traditional public schools, options exist for both intra- and inter-district transfers, with

policies generally dictated on a local level (whether to charge tuition, whom to prioritize when there are not sufficient seats, etc.).

Submitted testimony from the Texas School Alliance highlights a variety of options available for public school students. Pathways in Technology (P-TECH), Early College High School (ECHS) and specialized campuses or magnet schools are available under current Texas law to provide choice for students. 1882 Partnerships (authorized under SB 1882, 85R) also provide increased autonomy and flexibility for schools wishing to partner with open-enrollment charter schools, institutions of higher education, non-profits, or government entities.

Type of CCMR Campus	Number of Campuses
<b>Early College High School</b>	207
<b>Pathways in Technology</b>	161
<b>Texas Science, Technology, Engineering and Math Academies (T-STEM)</b>	88

Further, the Public Education Grant (PEG) transfer program provides options for families wishing to remain in the public school system. The PEG was established in 1995 to permit parents of children zoned to low-performing schools to request that their children transfer to other schools or other districts. In the 2022-23 school year, 141 campuses triggered PEG eligibility.

### **Legislative Discussion**

Members of the Committee heard testimony from multiple public- and private-school advocates. Proponents of education savings accounts (ESAs) discussed the merits of having more competition in education, modeling public benefits in PK-12 that exist elsewhere in government, and creating options for students who may not otherwise be able to afford private school tuition. Opponents of ESAs shared concerns about funding private schools at the expense of public schools, the logistics of tracking taxpayer funds, and the lack of accountability and oversight by Texas policymakers.

Legislators discussed private school accreditation practices, student outcomes in states that have introduced ESAs or vouchers, and the fiscal constraints facing many public schools that may impact the feasibility of innovation. Across the two days of hearings, there was unanimous agreement that legislators are committed to being good stewards of taxpayer dollars to improve student success, though there was disagreement on what policies will ultimately guarantee improved outcomes for students.

## Recommendations

1. Continue identifying opportunities to scale and improve public school choice through the availability of specialized schools, STEM Academies, Career and Technical Education, Early College High Schools, etc., ensuring parents have ample choice in their children's education.
2. Implement proposed recommendations from the Texas Commission on Virtual Education (<https://tea.texas.gov/academics/learning-support-and-programs/tcve-final-report.pdf>).
3. Implement the proposed recommendations from the Texas Commission on Special Education Funding (<https://tea.texas.gov/about-tea/government-relations-and-legal/government-relations/texas-commission-on-special-education-funding.pdf>).
4. The legislature should consider addressing intra- and inter-transfer policy including charging of tuition for transfer students.
5. If the Legislature chooses to enact a parental choice program, it should clearly outline student eligibility to ensure success and target certain student populations to ensure that each program participant is assessed to make apparent academic outcomes. The program should prioritize high need students. The program should include appropriate safeguards to ensure fiscal responsibility and accountability including, but not limited to, a finite appropriation to fund the program using General Revenue funds and not funds from Foundation School Program. Ultimately, the program needs to value the best interest of the student, parent and taxpayer, preserving the quality of education.
6. An additional parental choice option worthy of consideration includes legislation to allow the Comptroller to select a Certified Educational Assistance Organization to administer a fund that would be used for parents and students to apply for scholarships or education expense assistance, funded by private sector funds, no state money, by offering credits on insurance premium taxes for contributions. Contributions would also provide for federal tax deductions.
7. Consider expanding learning opportunities through community-based learning centers.

## Topic 2: Improving outcomes for Texas public school students and meaningfully supporting educators and educational institutions.

### Background

#### *Student Outcomes*

According to longitudinal data, academic student outcomes have shown improvements in some areas over time while other areas have stalled or declined in the same timeframe, illuminating areas of concern. Overall, from 2015 to 2022, the percentage of 3<sup>rd</sup> through 8<sup>th</sup> grade Texas students meeting or exceeding grade-level standards in math has increased from 37% to 39%, and in reading, it has risen from 41% to 52%. As of 2022, however, no grade level was more than 60% ready for the next grade. Moreover, achievement gaps persist, with significant disparities among different student groups. For example, in 2022, only 29% of economically disadvantaged 3<sup>rd</sup> through 8<sup>th</sup> grade students met math standards, compared to 55% of non-economically disadvantaged students. Similarly, while 35% of Emergent Bilingual 3<sup>rd</sup>-8<sup>th</sup> grade students met reading standards, 56% of non-Emergent Bilingual students met those same standards.

Following years of pandemic-induced disruptions and a projected 1.6% drop in Texas’s GDP over the 21st century due to learning loss, school leaders, parents and policymakers await results of the 2023 3<sup>rd</sup>-8<sup>th</sup> grade STAAR administration to evaluate school progress in recovering from historic COVID declines. With respect to high school End of Course (EOC) exams, the state of student outcomes remains mixed and complex. Overall, scores showed some recovery, with more students earning passing scores (Approaches) on four of the five exams than in 2019. English scores across Approaches, Meets and Masters levels for both English 1 and English 2 are all higher than pre-pandemic levels. The numbers of students performing at the Meets or Masters level in math, science and history, however, still lag behind pre-COVID levels.

End-of-Course Results						
TEA Texas Education Agency						
SPRING 2019, 2021, 2022, AND 2023 STAAR END-OF-COURSE RESULTS						
Subject	Performance	Spring 2019	Spring 2020	Spring 2021	Spring 2022	Spring 2023
Algebra I	Approaches	84%	COVID	72%	74%	78%
	Meets	62%		41%	46%	45%
	Masters	39%		23%	30%	24%
Biology	Approaches	88%		81%	82%	89%
	Meets	63%		54%	57%	57%
	Masters	26%		22%	23%	22%
English I	Approaches	63%		66%	63%	71%
	Meets	49%		50%	48%	54%
	Masters	12%		12%	11%	14%
English II	Approaches	67%		70%	71%	74%
	Meets	51%		57%	57%	56%
	Masters	8%		11%	9%	9%
US History	Approaches	93%		88%	89%	95%
	Meets	75%		69%	71%	71%
	Masters	47%		43%	44%	39%

\*In 2023, the STAAR test was redesigned to better align with classroom instruction, which necessitated re-setting of standards and scales from 2022 to 2023.

Relative to other states across the country, however, Texas students have shown progress in the National Assessment of Educational Progress (NAEP) from 2017 to 2022. These improvements and relative growth in NAEP reflect, in part, the impact of promising policies passed by the Texas Legislature in recent years, including but not limited to HB 3 (86R)’s focus on evidence-based early literacy practices through the Reading Academies and HB 4545 (87R)’s emphasis on providing high-impact tutoring for students academically behind.

Grade/Subject	U.S. State Rank for EcoDis Students		U.S. State Rank for Non EcoDis Students	
4th Grade Reading	20th	Up 21 spots since 2017	13th	Up 34 spots since 2017
8th Grade Reading	22nd	Up 18 spots since 2017	39th	Up 1 spot since 2017
4th Grade Math	6th	Up 3 spots since 2017	3rd	Up 9 spots since 2017
8th Grade Math	9th	Up 3 spots since 2017	21st	Down 4 spots since 2017

Despite some improvements over time, the year-over-year outcomes for Texas’ lowest-performing student groups continue to raise cause for concern. Historic trends reveal that Texas school systems struggle to accelerate student learning and meaningfully catch students up who fall behind. According to the Texas Education Agency, only 7% of 3rd graders in 2017 who were below grade-level in math caught up to grade-level proficiency or higher by the 5th grade two years later in 2019. In reading, only 5% of those behind caught up. A cohort analysis submitted to the Committee by the Commit Partnership produced similar findings for pre-pandemic trends considering students who were in 3rd grade in 2013 and 8th grade in 2018. When looking at student performance on STAAR as standardized to NAEP, the vast majority of school districts achieved on average only 4.75 years of academic growth in reading among students in that time period, slightly below the expected gains of 5 school years’ growth between 3rd and 8th grade. This is even more concerning given that many students never surpassed 6th grade equivalent reading levels by their 8th grade year due to slower than expected growth.

These proficiency and growth rates underscore the need for targeted, early interventions and equitable resources to address disparities and further improve student outcomes in Texas.

### *Educator Workforce*

The almost 370,000 Texas public school teachers serving the state’s 5.4 million students play a pivotal role in preparing these students academically, as effective teachers have been shown to be the number one in-school factor on student academic achievement. Texas’ educator workforce, however, remains underprepared to enter the classroom and under-supported once there. Relative to other states, Texas offers a variety of preparation routes for teachers to meet requirements to enter the classroom. Despite this flexibility, as of the 2022-23 school year an increasing number of newly hired teachers (approximately 1 in 3) taught with no certification at all. In addition to the staggering amount of underqualified incoming teachers, trends suggest that the workforce is also largely inexperienced: about 35% of current Texas teachers have less than 5 years of teaching experience, 41% of whom are leaving the profession in these first few years. In light of this, Texas has seen a growing overall attrition rate—now at an all-time high—outpacing national averages by approximately 25%.



In 2019, the Texas Legislature passed the Teacher Incentive Allotment (TIA, HB 3, 86R) program with the intent to decrease attrition by providing a pathway for the state’s top educators to earn higher salaries. As of July 2023, 173 school systems, educating over 26% of Texas public school students, are fully approved for TIA with over 300 more systems implementing systems next school year. Once these school systems are fully approved, over 60% of Texas students will be educated in a school system that has a fully approved TIA system. More than 12,500 designated teachers (up from 6,236 in 2022) are estimated to draw down an additional \$145 million to their districts this year (up from \$55 million in 2022).

NCES Classification	Fully Approved (% of Total)	System Approved or Designing (% of Total)	Total
	Cohorts A-D	Cohorts E-F	Cohorts A-F
Rural	56 (33%)	187 (48%)	243 (44%)
Town	34 (20%)	82 (21%)	116 (21%)
Suburban	28 (17%)	56 (14%)	84 (15%)
City	50 (30%)	65 (17%)	115 (20%)
<b>TOTAL</b>	168	390	558

\* Some differences in totals due to 1882 charters with approved systems not having an NCES coding due to its relationship with an existing district.

Less than 10% of fully approved TIA systems statewide use only STAAR in their designation calculations. In fact, over 40% don’t even use STAAR at all and the remaining approximately 50% use STAAR along with other measures to evaluate the efficacy of their educators.

TIA SYSTEMS (Cohort A - D)	#	%
NOT STAAR	68	40.7%
ONLY STAAR	16	9.6%
STAAR and OTHER	83	49.7%
<b>Total</b>	167	100.0%

In response to the increasing teacher retention and recruitment challenges across Texas, Governor Abbott convened the *Teacher Vacancy Task Force (TVTF)* in 2022, which was composed of 46 members including public school educators, administrators and system leaders with wide geographic diversity representing a broad swath of the state. After a year’s worth of work, the TVTF produced a final report overviewing the dynamics of teacher vacancies and putting forth eight categories of recommendations spanning teacher compensation, training and support, and working conditions. Some legislation aligned with the TVTF recommendations passed in the 88th Regular Legislative Session (HB 1605, HB 1416, HB 3, HB 2100, HB 3186, SB 26, SB 783, SB 10, and SB 798) but the bulk remain unaddressed by the Legislature.

## Legislative Discussion

Members of the Committee heard testimony from multiple school system leaders, educators, and advocates about the educator workforce and school finance measures that would provide both financial relief and meaningful impact in the years ahead.

With respect to supporting educational institutions, testimony captured the efficacy and efficiency of the current school finance system put in place through HB 3 (86R). Nevertheless, a large majority of witnesses spoke of their desire for an increase in the Basic Allotment, referencing the need to keep up with rising costs due to inflation, concerns as federal Elementary and Secondary School Emergency Relief (ESSER) Funds expire in the coming years, and Texas' relative low per pupil spending level in comparison to other states (43rd in the nation). Testimony from the Equity Center highlighted that the Basic Allotment currently stands at 14% below the value it had the last time it was changed in 2019. Proponents of raising the Basic Allotment argued that an increase would provide school systems with the flexibility to address local needs and substantively raise teacher salaries, given that the great majority of school system budgets are personnel-related expenditures. Subsequently, multiple school system leaders shared that their districts had adopted deficit budgets for the upcoming 2023-24 school year and elevated concerns about drawing from their fund balances for ongoing expenses such as teacher pay increases, intervention efforts, and school safety provisions required by HB 3 (88R).

In addition to conversations about the need to increase general education spending levels, legislators discussed the impact of the state's school finance system on particular subsets of school systems including both urban and rural schools, fast and slow growth districts, charter schools and more. In particular, several witnesses and Committee members elevated the gap in Tier I funding created by the discrepancy between local tax appraisals and the Comptroller's Local Property Value Survey which impacts approximately 167 ISDs (including districts in the Comptroller's grace period) in the state as an issue of particular concern with the current system.

Witnesses also highlighted the existing shortfall in funding to address specific student population needs including low-income students and those requiring special education services. Furthermore, testimony explored other factors beyond funding which impact student outcomes including the negative effect of high mobility rates and chronic absenteeism as well as the positive impact of high-quality learning in the foundational grades beginning with robust Pre-K enrollment and strong early literacy practices.

Discussions about how to support educators centered most heavily around strategies to increase teacher compensation while also providing other support necessary for ensuring Texas school systems recruit and retain their most effective educators. The Teacher Incentive Allotment (TIA, HB 3, 86R) was highlighted as a focus area and promising pathway for continuing to bolster the teacher workforce. However, program participation requires a multi-year entry process including both a system design and data validation year of an LEA's local designation system, which was noted as a barrier for quickly scaling the program to meet teacher interest.

Legislators and members of the educator workforce alike expressed a strong desire for the TIA program to be expanded to reach more teachers in participating Local Education Agencies (LEAs) across additional grades and subjects and for technical assistance to be provided to

LEAs, especially to small rural districts, in light of the technical workload required to develop a local designation system and implement the program with fidelity.

Overall, members mentioned the desire to professionalize the teaching profession and witnesses expressed strong sentiments around wanting state appropriations to better reflect the true value of the workforce. TEA alongside Committee members shared additional strategies from the TVTF recommendations that the Committee should consider to achieve this goal including retire-rehire grants, the establishment of a Teacher Residency Program and Allotment, the expansion of the Mentor Program Allotment, and schoolwide discipline and classroom management support.

Testimony also highlighted the need to better understand the full extent of teachers' required duties in relation to their work schedules and members discussed the unintended consequences of passed legislation on the Texas teacher experience including Reading Academies (HB 3, 86R) and HB 4545 (87R). Although witnesses agreed that these policies placed additional strain on their educator workforce, members acknowledged improvements being made either by TEA (e.g., updates to Reading Academies moving forward to provide additional support for participating teachers as well as piloting integration of the coursework into pre-service educator preparation programs) and the Legislature (e.g., HB 1416, 88R; HB 1605, 88R) that will go into effect this coming school year to mitigate concerns while continuing to promote evidence-based strategies that propel student outcomes.

## **Recommendations**

### *Student and Parent Supports*

1. Increase the Basic Allotment to ensure LEAs have sufficient operating funds to offset the rising cost of inflation, which can be used to compensate teachers and provide increased resources for students in Texas.
2. The legislature should consider addressing parent/guardian rights regarding the local grievance process similar to HB 890 and HB 3315 of the 88th Regular Session.
3. Empower parents with reliable information about their child's reading progress and high-quality resources that can be used at home.
4. Promote early literacy foundations through rapid interventions when students in early grades show signs of low proficiency through policies contained within HB 2162 (88R).
5. Provide diagnostic instruments for schools to monitor a student's development of foundational literacy skills in grades Kindergarten through Third Grade.
6. The Legislature should consider offering grants to help districts pay for innovative parental engagement efforts.
7. Consider additional funding for organizations on campus that provide resources for chronically absent, truant, and at risk students.

### *Teacher Recruitment, Retention and Supports*

8. Implement recommendations of the Teacher Vacancy Task Force (<https://tea.texas.gov/texas-schools/health-safety-discipline/tvtf-final-report.pdf>) to address critical vacancies and support the educator workforce to meet state needs. Specifically:

- a. Expand TIA to more teachers through the establishment of a fourth designation tier and the creation of a grant program to help increase participating districts;
  - b. Create a sustainable, affordable Teacher Residency Program and allotment to increase the pipeline of diverse teachers receiving strong, on-the-job preparation;
  - c. Waive certification costs for hard-to-fill teacher fields such as bilingual or special education. Additionally, waive certification and fee costs for first time teacher applicants; and
  - d. Provide children of teachers with access to free PreK.
9. Eliminate the TRS Retire/Rehire surcharge imposed on districts for retired teachers to return to the classroom or fill other support staff vacancies.
  10. Provide greater public transparency and data regarding the implementation of the Science of Teaching Reading.
  11. Require a percentage of a school district's increase to the Basic Allotment be used to provide wage increases for support staff.
  12. Direct TEA to collect more disaggregated data than is currently available on teacher vacancies and class sizes, and should conduct an independent time study. The teacher time study should include the impact of large class sizes and student behaviors on the learning environment, discipline issues, and working conditions, particularly in school districts with high rates of student mobility and educationally disadvantaged students. The study should engage with educators directly to learn about the prevalence of duplicative data entry and unnecessary paperwork that take time away from teaching.
  13. Direct TEA to annually promote the teacher profession and its value.

#### *Classroom Discipline*

14. Supporting teachers in their efforts to manage student behavior, perhaps through reforming policies about allowing teachers to remove from the classroom students with especially problematic behavior and the return of those students to the classroom, as was in SB 9 (88R), and through training and technical assistance for districts about strategies school leaders can use to set effective behavior expectations, as was in HB 11 (88R) and HB 100 (88R) as passed by the Senate.

#### *Property Tax*

15. Consider how recent property tax legislation (SB 2, 88(2)) impacts school finance and County Appraisal District processes and explore possibilities for ensuring fair practices across districts related to State and local property value assessment. This should include a thorough examination of the state's property value appraisal system, specifically the Property Value Study (PVS), and its impact on local school districts.

#### *School Finance*

16. Strategically adjust key school finance allotments and funding streams as outlined in proposals passed with bipartisan and bicameral support during the Regular Session to provide targeted resources for improving student outcomes, including:
  - a. Adding PreK students to the Early Education Allotment to support the availability of quality early learning;
  - b. Removing barriers to implementation in public-private PreK partnerships;
  - c. Modifying Additional Day School Year baseline calendars to 175 days, rather than 180; and

- d. Increasing the weights provided in the Compensatory Education Allotment
- 17. Consider establishing an Average Daily Attendance (ADA) floor for school districts. An ADA floor would help set funding expectations as well as protect district funding against unexpected circumstances, such as natural disasters or statewide emergencies, projected decline in enrollment, student departures, and student mobility across districts.
- 18. Appropriate additional funds to support school safety implementation to meet requirements from HB 3 (88R) and guidance issued by TEA in 2022.
- 19. Consider allowing ISD Board of Trustees to access additional Tier 2 Golden Pennies.

### Topic 3: Modernizing assessment and accountability measures for Texas schools educating K-12 students.

#### Background

The Texas Legislature has discussed assessment and accountability for decades. More recently, the Commission on Next Generation Assessment and Accountability studied the topic in 2016 and made a number of recommendations that policymakers have addressed in subsequent years. During the Regular Session of the 88th Legislature, the House debated and passed policies to modernize assessment and modify Texas’ A-F accountability system, which legislators passed in 2017 through HB 22.

Recommendation	Status
1. Implement a computer-adaptive assessment system of multiple integrated assessments administered throughout the school year	<i>In Progress</i> - HB 3906 (86R, 2019) resulted in STAAR Interims, Texas Formative Assessment Resource, and the Through-Year Assessment Pilot.
2. Allow the commissioner of education to approve locally developed writing assessments.	<i>Addressed</i> - HB 1164's Texas Writing Pilot in 2015 couldn't validate the creation of an alternative writing assessment, but learnings from the pilot were incorporated in the STAAR redesign.
3. Support the continued streamlining of the TEKS.	<i>Addressed</i> - SB 313 (84R, 2015) required the SBOE to streamline the TEKS.
4. Limit state testing to the readiness standards.	<i>Not possible under federal requirements.</i>
5. Add college-readiness assessments to Domain IV of the accountability system and fund a broader administration.	<i>Addressed</i> - SAT, ACT, AP, & IB are post-secondary readiness options under the <i>A-F</i> system. Funding for SAT/ACT provided under HB 3 (86R, 2019).
6. Align the state accountability system with ESSA requirements.	<i>Addressed</i> - HB 22 incorporated ESSA requirements into the Closing the Gaps domain of the <i>A-F</i> accountability system.
7. Eliminate Domain IV from state accountability calculations for elementary schools.	<i>Addressed</i> - HB 22 removed this domain from the <i>A-F</i> accountability system.
8. Place greater emphasis on student growth in Domains I-III in the state accountability system.	<i>Addressed</i> - Through the HB 22 <i>A-F</i> methodology, schools get the better of the growth or proficiency.
9. Retain the individual graduation committee option for graduation as allowed under TEC, §28.0258.	<i>Addressed</i> - HB 1603 (87R, 2021) removed the expiration date for the law providing for individual graduation committees.

Under federal law, Texas is required to administer the annual standardized assessments to measure the academic proficiency of students. These tests are a part of the broader accountability system established by the Every Student Succeeds Act (ESSA), the federal law governing K-12 education in the United States. ESSA requires states to assess students' knowledge and skills in core subjects, such as mathematics, reading, and science, to ensure they are meeting academic standards and making adequate progress in their education. STAAR is directly aligned to state standards called the Texas Essential Knowledge and Skills (TEKS), and the test serves to evaluate individual student performance, identify performance gaps across student groups, and contribute to gauging the overall effectiveness of schools and districts.

The annual assessments contribute to campus and district accountability ratings through the state’s A-F letter grade system, which rewards schools on how well they support students in achieving individual or campus-level growth or how well they support overall student proficiency. High schools and district-wide scores also encompass college, career, and military readiness indicators and graduation rates. Though the system was enacted in the 2018-19 school year, COVID disruptions forced pauses in ratings for the 2019-20 and 2020-21 school years. In 2021-22, campuses and districts that would’ve received a D or F rating were deemed ‘Not Rated’

(SB 1365, 87R).

Analysis provided in submitted testimony shows significant variation in student performance based on campus letter grade. Across all grades and subjects, roughly 66% of students on A-rated campuses in 2022 met grade-level expectations on STAAR, compared with 25% of students on ‘Not Rated’ campuses. Low-performing campuses have a number of interventions available to them, including but not limited to Resource Campuses (Section 39A.105), but minimal participation in this program signals challenges in implementation.

The Legislature also authorized Local Accountability Systems (LAS) under HB 22 as an alternative way for LEAs to identify metrics to count toward up to 50% of the state’s overall score. Though two districts have pursued this opportunity since HB 22’s passage, TEA reports that no districts are actively using LAS.

## **Modifications in Progress**

### *Texas Through-Year Assessment Pilot*

Given the stress that students and teachers experience around STAAR testing, the Legislature charged TEA with modernizing assessments to provide more responsive information to teachers and align more to classroom instruction (HB 3906, 86R). In the 2022-23 school year, 121 LEAs covering 19 of the state’s 20 ESCs participated in the Texas Through-Year Assessment Pilot (TTAP) to accomplish this goal. TEA has highlighted the following benefits of the testing model: multiple testing opportunities; timely student reports; flexible training to build educator/administrator knowledge around assessments; and additional online platform and item type exposure aligned to the STAAR Redesign.

This innovative approach to standardized assessment was initially piloted in 4 grades/subjects:

- Grade 5 science
- Grade 6 math
- Grade 7 math
- Grade 8 social studies

Approximately 60,000 students were involved in the pilot in school year 2022-23, and TEA plans to keep the same scale moving into its second year with an approximate average of 15 students per Title. The grades and subjects in Year 2 of the pilot will remain consistent with those piloted in Year 1.

Though other states are piloting similar models, Texas is the only known state attempting to provide students with scoring credit in the first two test attempts. Under the current pilot, the cumulative score is the student’s spring score or a weighted average of all opportunities, whichever is highest. The four-year pilot will result in a final report submitted to the Legislature in 2026, with earlier reports possible to share progress.

## *A-F Refresh*

Prior to 2017, TEA provided an annual update to cut points and targets in the state's accountability system. This ensured there were not dramatic changes in any given year, but it proved difficult to measure year-over-year progress in campus improvements. HB 22 (85R) charged TEA with "periodically" updating cut scores and methodology to ensure Texas "remains a leader in postsecondary success." TEA began this process back in 2019 with advisory groups and stakeholders providing input for potential adjustments, with the bulk of feedback and iterations taking place between June 2022 and May 2023.

Expected regulatory changes to the A-F system include revisions to industry-based certification (IBC) requirements, including sunseting certifications and aligning with programs of study, as well as an increase in the CCMR cut score required to achieve an 'A'. Cut scores related to STAAR proficiency remain unchanged.

Bills introduced in the 88th Regular Session addressed parts of the A-F Refresh, including a proposal to specify TEA update cut scores every four years and provide forecasting cut scores in interim years to allow for greater transparency and the ability for school leaders to plan.

### **Legislative Discussion**

During the hearings, legislators expressed interest in lessening testing and the stress assessments place on students and schools. Many members voiced support for the TTAP program and compared it to other forms of interim and formative assessments that schools are currently using for progress monitoring. Members asked how feasible it was to ensure data from TTAP's first two test administrations were provided in a timely enough manner to inform classroom instruction. Though no TTAP participants spoke at the hearing, TEA shared that the intention of the pilot is to assess both quantitative and qualitative benefits of the through-year assessment approach.

Regarding accountability, legislators heard concerns about the impact of low A-F scores on campus and district morale, citing constituent feedback that low ratings have a direct impact on businesses choosing to relocate or expand sites. Some witnesses expressed a desire to identify alternative metrics for elementary and middle school scores, referencing HB 4402 from the Regular Session. When members asked witnesses about LAS, school leaders spoke in favor of the option but shared concerns about the limited capacity and the onerous nature of developing an independent accountability system that would be validated by the state.

Generally, members agreed that more support should be provided to low-performing campuses and witnesses affirmed that many schools struggle to have the necessary resources to meet student needs, particularly on campuses with high percentages of economically disadvantaged students.



## Recommendations

1. Allocate technical assistance grant funds to support the development of Local Accountability Systems and identify potential valid and reliable metrics to include in elementary and middle grade campuses.
2. Consider requiring TEA to deliver an annual report on TTAP's effectiveness rather than waiting until 2026 to review findings. A report should include TTAP's ability to reduce the quantity of high stakes testing.
3. The Legislature should consider reforms that make the assessment results better tools for parents to actually understand which and how much of the TEKS their child has mastered.
4. Establish a predictable cycle for the adjustment of CCMR cut scores to better align and prepare LEAs. Alignment should include "what/if" models.
5. Define chronic absenteeism in the Texas Education Code. Add chronic absenteeism to the "at risk" category to better support students who are chronically absent and therefore at risk of dropping out. Require that TEA annually aggregate and report chronic absenteeism as well as truancy to increase transparency and better target student supports.
6. Modify Resource Campus qualifications and requirements so more campuses can participate and benefit from additional targeted funding to improve outcomes.

# APPENDICES



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STATE REPRESENTATIVE  
BARBARA GERVIN-HAWKINS

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DISTRICT 120

August 10, 2023

Dear Chairman Buckley,

Thank you for including some of my recommendations. I've reviewed the House Select Committee on Education Opportunity and Enrichment draft report. The report captures many of the issues and concerns discussed in our hearings, and I appreciate some of my recommendations being included in the report. I will submit my signature authorizing the report. However, I respectfully request that you include the following recommendations in the report. Firstly, based on the testimony provided by public education professionals during the committee hearings, the report should specify that the basic allotment increase should be at least \$1,000-\$1,800.

Secondly, if the legislature decides to enact parental choice programs and high needs programs for private schools, there needs to be accountability. The accountability can look different from that of independent school districts and public charter schools, but there needs to be financial and academic accountability. Without accountability the legislature is left without informational tools to monitor student progress. School assessments need to be included in the process, as it is another much needed tool to measure student and institutional success. Alternatively, a school choice program could begin as a pilot program, created with separate funds from public schools and a hold harmless provision for any loss of funds that public schools incur due to students leaving for this program. This program should include a sunset date to allow the legislature to review the results of the program on student achievement and outcomes and determine whether or not to continue it.

Next, the CCMR performance outcome and accountability should remain the same for the 2022/23 school year. Otherwise, we are setting up our schools to fail if they are held accountable under retroactively applied cut scores. When implementing new policy, a waiver is needed to implement reform. The allowance of a transition period is needed for the implementation of new rules if we are going to help our schools be successful.

On student discipline, if teachers are allowed to remove students, we need answers on what happens to students that are removed. Where do they go? Do they fully fall out of the educational system?

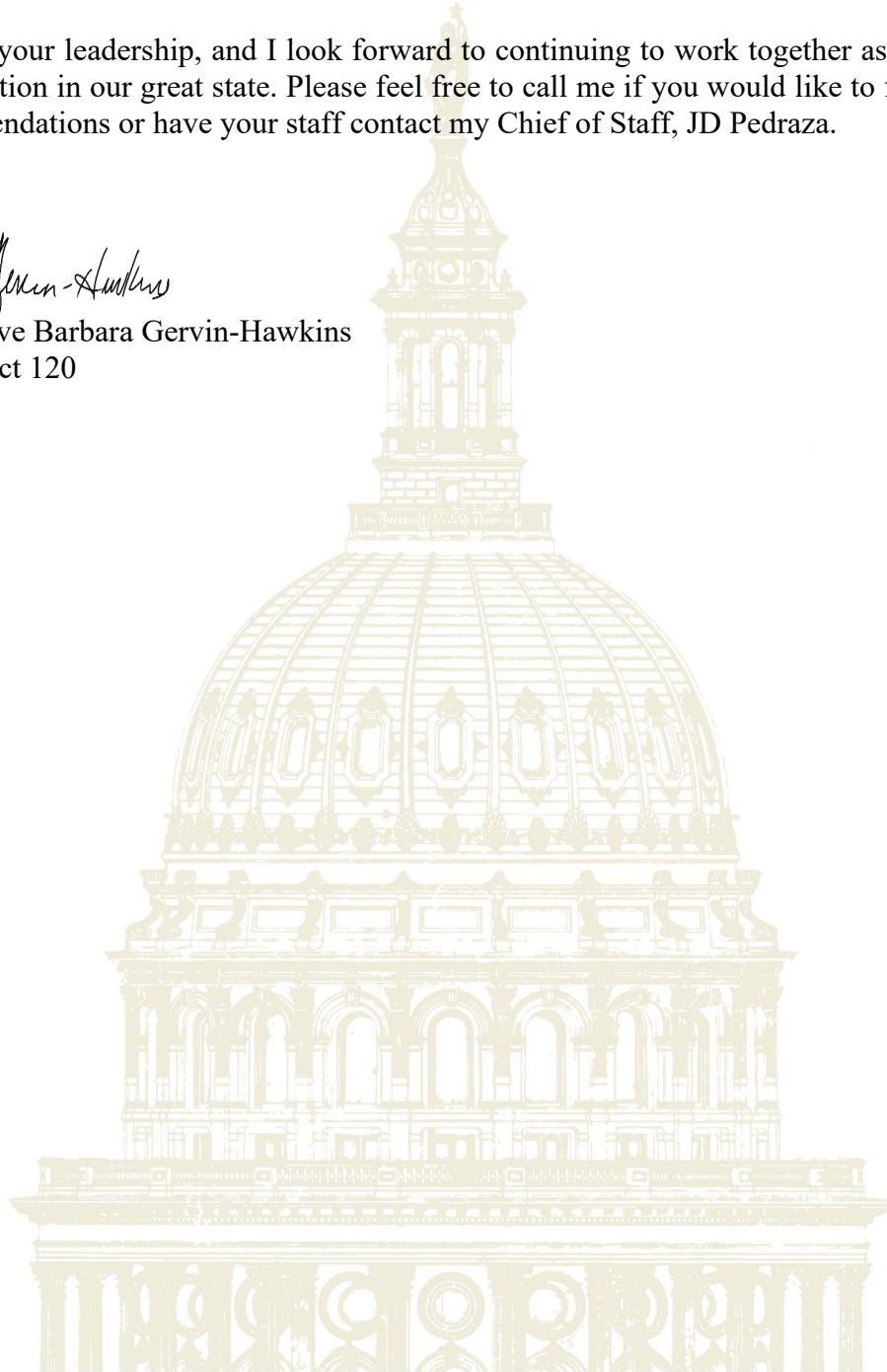
Lastly, on school finance, Pre-K needs to be fully funded, and student and parent supports need to have specific recommendations and a plan for improvement. What does adding Pre-K students to Early Education Allotment do to support the availability of quality early learning? What does establishing an average daily attendance floor for a district look like?

I appreciate your leadership, and I look forward to continuing to work together as we reimagine public education in our great state. Please feel free to call me if you would like to further discuss my recommendations or have your staff contact my Chief of Staff, JD Pedraza.

Sincerely,



Representative Barbara Gervin-Hawkins  
House District 120





**HAROLD V. DUTTON, JR.**  
TEXAS HOUSE of REPRESENTATIVES

Legislative District 142

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August 10, 2023

The Honorable Brad Buckley, Chair  
House Select Committee on Educational Opportunity and Enrichment  
Texas House of Representatives  
P.O. Box 2910  
Austin, Texas 78710

Dear Chair Buckley:

Thank you for this opportunity to provide input regarding the Report generated by the House Select Committee on Educational Opportunity and Enrichment. I regret that circumstances prevented me from fully participating with the Committee. However, I was somewhat able to follow and review Committee proceedings virtually.

While I am generally in agreement with the Committee's recommendations, I must exclude support for any recommendations with underlying efforts to create a voucher system in Texas' public schools.

If you have questions, please contact me.

Best regards,

A handwritten signature in black ink, appearing to read "Harold V. Dutton, Jr.", written over a white background.

HAROLD V. DUTTON, JR.

COMMITTEES:  
Juvenile Justice & Family Issues, Chair  
Public Education  
Youth Health & Safety



# GINA HINOJOSA



STATE REPRESENTATIVE • DISTRICT 49

August 10, 2023

The Honorable Brad Buckley  
Chairman, House Select Committee on Educational Opportunity & Enrichment  
Room E1.324, Capitol Extension  
Austin, TX 78701

Dear Chairman Buckley and Members:

The House Select Committee on Education Opportunity & Enrichment held important conversations on how to ensure the children of Texas receive a quality education while being accountable to taxpayers and families. The Select Committee Report highlights some important and varied reforms that have been discussed for years in public education.

However, after hearing from educators, experts, and parents from across the state, it is clear that the primary focus of our recommendations and work must be on securing the core function of our public schools, which is to offer a high quality public education to all Texas public school students. This core function cannot be achieved if Texas continues to skimp on the cost of providing a public education. Currently, Texas teachers are paid, at least, \$7500 below the national average.<sup>1</sup> Texas ranks in the bottom ten nationwide for per-student funding. Texas schools need an additional \$1000 per student to keep up with inflation since 2019, and even then, Texas would still be \$3000 below the national average in per-student funding.<sup>2</sup> The most consequential funding gap is likely in Special Education, where school districts spend over \$2 billion more annually on these programs than the State allocates, increasing inequalities for our most vulnerable students.<sup>3</sup> Fully funding our public schools and investing, at minimum, to keep up with the national average in per student funding is essential to ensuring that young Texans have a fair shot at a prosperous and productive future.

Additionally, there are some recommendations outlined in the Select Committee Report that could result in damage to our Texas public education system and that conflict with our constitutional duty to “support and maint[ain...] an efficient system of public free schools”.<sup>4</sup> **For this reason, I am not signing in support of the Special Committee report.** I, respectfully, submit this letter

<sup>1</sup> <https://www.nea.org/resource-library/teacher-salary-benchmarks>

<sup>2</sup> <https://www.raiseyourhandtexas.org/increasing-the-basic-allotment-in-texas/>

<sup>3</sup> Data provided by the Texas Education Agency on March 14, 2023.

<sup>4</sup> Article 7, Section 1 of the Texas Constitution.

to highlight and present a different perspective for the Legislature to consider as we work to ensure Texas' school children have access to valuable educational opportunities.

### **CHARGE 1: Ensuring all Texas youth enjoy equal educational opportunity and the freedom to obtain a quality education, regardless of circumstance**

Texas' public schools served 624,256 students in Special Education programs, 11.6% of the state's total public school population.<sup>5</sup> These are some of our most vulnerable children, who need assistance with a variety of intellectual, physical, and behavioral disabilities. The Speaker's charge to ensure equal educational opportunities invokes the work the State must undertake to provide a quality education to this population of students.

American students who qualify for Special Education are entitled to a free, appropriate public education.<sup>6</sup> That means they are entitled to full education opportunities just like students who do not require Special Education. According to the most recent Texas Academic Performance Report, in the 2021-22 school year, our Texas school districts, which are the local governmental entities entrusted with providing a free, appropriate public education to students in Special Education, have determined that at least \$2.2 billion more than the State allocates in formula funding is required to meet this legal standard and accordingly have diverted funding from other programs to cover this gap.<sup>7</sup> In House District 49, alone, that gap in funding was over \$76 million for Austin ISD in the 2021-2022 school year.<sup>8</sup> At the same time, the Texas Education Agency (TEA) has directed AISD to submit to a State monitor for failings regarding the education provided to students who qualify for Special Education. *Our schools cannot pay for the staff and support that our children need with money they do not have.* This reality is no more apparent than it is for the State's Special Education programs, as no other program in public education sustains underfunding of this magnitude.

Given the State's failure to provide basic resources for this most vulnerable student population, the State's first priority must be to:

- Fully fund our Special Education programs by dispersing to our public schools the \$2.2 billion our school districts have borrowed against other programs in an effort to provide legally required services. Full funding empowers our schools to attract and retain the appropriately trained Special Education professionals our students need. Furthermore, any effort expended in furtherance of potentially diverting already precious and inadequate dollars to private schools in the name of helping our students in Special education is misplaced, wasted, and misguided. *As such, I oppose Recommendations 5 and 6 under "Topic 1" of the Select Committee's Report. The state of Texas must do its job and adequately fund the education of all of its children. Texas must not wash its hands of our Special Education students because they are more challenging and more expensive to educate. We take up the challenge and meet our obligations because Texas children and families are counting on us to do what is right.*

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<sup>5</sup>[https://rptsvr1.tea.texas.gov/cgi/sas/broker?\\_service=marykay&\\_program=perf rept.perfmast.sas&\\_debug=0&ccyy=2022&lev=S&prgopt=reports%2Ftapr%2Fpaper\\_tapr.sas](https://rptsvr1.tea.texas.gov/cgi/sas/broker?_service=marykay&_program=perf rept.perfmast.sas&_debug=0&ccyy=2022&lev=S&prgopt=reports%2Ftapr%2Fpaper_tapr.sas)

<sup>6</sup> Section 504 of the Rehabilitation Act of 1973. <https://www2.ed.gov/about/offices/list/ocr/docs/edlite-FAPE504.html>

<sup>7</sup> Data provided by the Texas Education Agency on March 14, 2023.

<sup>8</sup> *Id.*

In furtherance of our obligation to our children receiving Special Education I, also, support the following recommendations:

- Implement many of the proposed recommendations from the Texas Commission on Special Education Funding.
  - *However, I oppose Recommendation #14, which calls for the Legislature to consider educational savings accounts, also known as private school vouchers.*
- Expand the eligible expenses covered by the Supplemental Special Education Services (SSES) grants to include Special Education full and individual initial evaluations (FIEs). This would help reduce the backlog of initial evaluations in our school districts and assist parents who are paying out-of-pocket to private providers for this essential service. In that same vein, we should consider creating an allotment for school districts to be reimbursed for up to \$1000 per each FIE they conduct.
- Transition to “enrollment based” funding for the Special Education population. During the 88th Regular Session, we saw a movement to transition Special Education funding from average daily attendance (ADA) to average enrollment. This would be a transformational change for high needs students including those from low income families and those who suffer from chronic health issues. Using funding to incentivize attendance is based on the unfounded assumption that lagging attendance is voluntary and the primary cause is truancy. However, research shows childhood poverty and chronic health issues play a large role in absenteeism.<sup>9</sup> When students miss school, the district loses out on the resources needed to keep them on track and address issues of chronic absenteeism. By changing Special Education funding and other allotments to a formula that instead uses average enrollment, the State will provide school districts with full funding for the students they serve, allowing them to provide a comprehensive education that meets the State's academic standards. Average enrollment based funding is the equitable way to fund public schools.

## **CHARGE 2: Improving outcomes for Texas public school students and meaningfully supporting educators and educational institutions**

To repeat, *our schools cannot pay for the staff and support our children need with money they do not have.* Texas ranks in the bottom ten states for per-pupil funding, which is almost \$4,000 under the national average.<sup>10</sup> This legislature responded to pleas for increased resources in 2019 with the passage of HB 3. However, since then, when the Legislature set the basic allotment at \$6,160 with the promise of “we’ll be back,” we have failed to raise this arbitrary number. It has remained stagnant for four years, despite the learning loss caused by a worldwide pandemic and rising inflation rates that have significantly diminished every district's buying power. In order to account for rising inflation rates, we must increase the basic allotment by \$1000.<sup>11</sup> Texas is, also, only one of six states that still fund schools based on ADA rather than average enrollment.<sup>12</sup> This policy

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<sup>9</sup> Kim Nauer, Nicole Mader, Gail Robinson, Tom Jacobs, et al., *A Better Picture of Poverty: What Chronic Absenteeism and Risk Load Reveal About NYC’s Lowest-Income Elementary Schools* (New York: The New School Center for New York City Affairs, 2014), [www.attendanceworks.org/wordpress/wp-content/uploads/2014/11/BetterPictureofPoverty\\_PA\\_FINAL\\_001.pdf](http://www.attendanceworks.org/wordpress/wp-content/uploads/2014/11/BetterPictureofPoverty_PA_FINAL_001.pdf).

<sup>10</sup> <https://www.raiseyourhandtexas.org/increasing-the-basic-allotment-in-texas/>

<sup>11</sup> *Id.*

<sup>12</sup> John Fensterwald. *Report analyzes tradeoffs of funding by attendance versus enrollment.* EdSource. March 21, 2022. <https://edsources.org/updates/report-analyzes-tradeoffs-of-funding-by-attendance-versus-enrollment>



punishes our schools and students that need the most support by deducting their base funding for absences.

A great teacher in the classroom is the most important resource the State can provide in public education. Unfortunately, Texas is undergoing an unprecedented teacher recruitment and retention crisis, with record numbers of teachers retiring or leaving the classroom each year. If Texas teacher salaries reflected the proportionate share of state funding increases over the past two decades, the average Texas teacher's salary would be \$10,000 higher than it is now. Many support personnel including bus drivers and food service workers live under the federal poverty level and cannot afford to live where they work while their commuting costs are pricing them out of the job. These employees are essential to every public school campus. Teachers and support staff are overworked and underpaid and too often the Legislature responds by adding even more hoops through which teachers must jump. To ensure our public schools are attracting and retaining teaching professionals, the State must help facilitate family-supporting wages and working conditions for all school personnel.

To this end, I support the following recommendations:

- Increase the basic allotment to ensure schools have sufficient resources to operate and adequately serve students. The basic allotment should be increased by at least \$1,000 and include a permanent inflationary adjustment that will update the basic allotment automatically as needed. This increase would afford school districts the resources they need to hire and retain qualified talent.
- Increase compensation for school personnel. As described in the Teacher Vacancy Task Force recommendations, "increasing compensation for all educators is foundational to recruitment and retention efforts."<sup>13</sup> I agree that we should require a percentage of a school district's increase to the basic allotment be used to provide wage increases for teachers and support staff. Specifically, we should require that 50% of a school district's increase to the basic allotment be used for salary increases of at least \$10,000 per full-time employee, including certified educators in public schools and open-enrollment charter schools, and guarantee that any increase in salary for educators is above the amount each teacher would have received pursuant to local teacher salary schedules and compensation systems for the previous year. Similarly, we should require that 25% of a school district's increase to the basic allotment be used to provide wage increases for support staff, whether employed part-time or full-time, of at least 15% and guarantee that the increase in salary for support staff is above the amount each received as an hourly wage in the previous year.
- Transition to fully funding schools through enrollment based funding. Texas is one of a handful of states in the country that uses ADA to calculate funding for public schools. In other words, we are short changing our schools by penalizing them for absences. School districts must hire teachers and incur expenses for 100% of the students enrolled in the district, and they are required to meet accountability standards for their entire, enrolled student population, regardless of whether or not students are absent. Instead of continuing to implement this outdated method of finance, Texas can fully fund our schools and the actual expenses our school districts incur by adopting an enrollment based funding formula.

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<sup>13</sup>Teacher Vacancy Task Force Recommendations Report. <https://tea.texas.gov/texas-schools/health-safety-discipline/tvtf-final-report.pdf>

*I do not agree that any increase in teacher compensation should be predominantly contingent on increased achievement as is required by the Teacher Incentive Allotment. Teachers jump through enough hoops and too many of those hoops come in the form of standardized tests. Performance evaluations and additional “human resource” tools are not appropriately employed to increase productivity and professionalism. Withholding family-supporting wages from a professional charged with a duty as consequential as the education of our youth is counterproductive and demeaning to the profession. If Texas is serious about producing nationally ranked schools and a competitive workforce which is mostly dependent on employing sufficient, qualified teachers, we must ensure a basic floor of fair and adequate wages that does not currently exist.*

### **CHARGE 3: Modernizing assessment and accountability measures for Texas schools educating K-12 students**

The federal government requires states to administer an annual test in reading and math, but the Texas Legislature, alone, has determined that the test be used to rate, rank, and punish our schools. The Texas Legislature, alone, has made the STAAR test “high stakes” in the face of overwhelming opposition from Texans. We have no one to blame but ourselves. It is time to reevaluate this strategy. At minimum, in order to have a more meaningful, well-rounded picture of how our districts and schools are doing, we need to redesign our school accountability system to ensure it captures relevant indicators that measure how students are actually performing academically.

Our current A-F school accountability system is confusing and seemingly arbitrary. For example, the Select Committee heard testimony from the TEA that ratings for third grade are determined based on the Agency’s conclusion of whether the STAAR scores correlate to predictive college readiness for a third grader rather than a determination of “on grade level” preparation. Additionally, the entire accountability rating for elementary and middle schools is based on STAAR scores, and assessments also make up a large portion of high school ratings. Different and more varied indicators must be considered to reform our school accountability system. Finally, our accountability system must be trustworthy. Drastic increases in accountability cut scores that are applied retroactively only undermine the entire system’s perceived worth.

For these reasons I support the recommendation that calls for reforms to make the assessment results a better tool for parents to actually understand what they mean. This could be accomplished by establishing a commission on assessment and accountability, similar to HB 37 (88R) by Rep. González and HB 977 (88R) by Rep. VanDeaver, with a focus on the need to expand and simplify our public school accountability system so families can easily and accurately interpret the results each school year. I, also, agree that we must establish a predictable cycle for the adjustment of CCMR cut scores to better align and prepare school districts.

However, the priority should be to “first, do no harm.” As such, it is critical that the Legislature make more explicit and indisputably clear that schools and districts must be given advance notice of the State’s expectations before ratings can be applied to their performance. It is imperative that we enact legislation to:

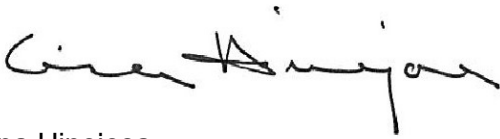
- Add a “hold-harmless” provision to our A-F accountability system, like HB 1121 (88R) by Vice Chair Gervin-Hawkins, to delay the implementation of a rule that affects methods or

procedures related to the public school accountability system so that our schools will not be unfairly punished with retroactive application of accountability standards.

In an environment of loud political rhetoric and endless monied interests vying for taxpayer dollars, it is too easy to lose sight of the basics, of what we know to be true: a quality teacher in every classroom is the best we can do to afford our students a good education. Like every other professional in America, teachers want and need competitive compensation, deference and discretion in practicing their trade, as well as attainable goals. To accomplish this end, the State, as the arbiter of per-student spending, must ensure schools have what they need to adequately compensate these professionals so that every child has regular access to appropriately trained and educated professionals. This basic prerequisite for success is more and more fleeting due to the failure of our State to increase per-student funding. The State must also stop and reverse course on the many mandates it imposes on teachers. Parents trust teachers<sup>14</sup>- the state of Texas should, too. Rather than the current Texas system of attempting to compel performance through mandates and punitive consequences crafted by “edupreneuers,” and bureaucrats in Austin, policymakers must listen and defer to the experts on education. We must listen to teachers.

Thank you for your time and attention to this matter. We have much work ahead of us, but I have confidence that we will unite and serve the future of Texas to the best of our ability.

Sincerely,

A handwritten signature in black ink, appearing to read "Gina Hinojosa". The signature is fluid and cursive, with a prominent loop at the end of the last name.

Gina Hinojosa  
Texas State Representative  
House District 49

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<sup>14</sup> Charles Butt Foundation 2023 Texas Education Poll “Strong Support, Clear Challenges”.  
<https://charlesbuttdn.org/wp-content/uploads/2023/01/2023-txed-poll.pdf>



# KEN KING

TEXAS HOUSE OF REPRESENTATIVES

*District 88*

August 10, 2023

The Honorable Brad Buckley, Chair  
House Select Committee on Educational Opportunity and Enrichment  
Texas House of Representatives  
P.O. Box 2910  
Austin, Texas 78768-2910

Dear Chair Buckley:

Thank you for the opportunity to provide input regarding the report for the House Select Committee on Educational Opportunity and Enrichment. It is my hope with recommendations from various stakeholders and legislators, we can come together and implement reforms necessary to ensure we are adequately funding our public schools.

With that in mind, I would like to make a recommendation that the Texas Legislature consider legislation to change the funding methodology for public schools from attendance based funding to enrollment based funding. Furthermore, I would recommend that in consideration of this change, the legislation be modeled after House Bill 100 as engrossed during the 88<sup>th</sup> Regular Legislative Session.

Since enrollment numbers are much more consistent than daily attendance numbers, enrollment based funding will allow school districts more certainty when considering budgets for the following school year.

If you have any questions or concerns, please do not hesitate to contact my office.

Sincerely,

A handwritten signature in black ink, appearing to read "Ken King".

Ken King  
State Representative  
District 88

#### CAPITOL OFFICE

P.O. Box 2910 | Austin, Texas 78768-2910 | Phone: (512) 463-0736 | [KEN.KING@HOUSE.STATE.TX.US](mailto:KEN.KING@HOUSE.STATE.TX.US)

#### COUNTIES

Armstrong, Bailey, Briscoe, Castro, Cochran, Donley, Gray, Hale, Hansford, Hemphill, Hockley, Lamb, Lipscomb, Ochiltree, Roberts, Swisher, Yoakum



STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

GARY VANDEAVER  
DISTRICT 1

August 10, 2023

The Honorable Brad Buckley, Chair  
House Select Committee on Educational Opportunities and Enrichment  
P.O. Box 2910  
Austin, Texas 78768-2910

Dear Chair Buckley:

Thank you for the opportunity to comment on the House Committee on Educational Opportunities and Enrichment report. Below are my comments about the upcoming debate on school choice:

The legislature has enacted many provisions over the years that bolster parental rights to choose the best options for their children's education. The current choice options include: magnet schools, intra- and inter-district transfers, open enrollment charter schools, P-TECH and T-STEM academies, dual credit enrollment with higher education institutions, the Texas Virtual School Network, Public Education Grants and programs enacted by specific school districts to meet the needs of parents and their children. All these choice options are within the current public school finance system with the funding following the child wherever he or she is enrolled.

The call for more parental choice options, whether they are referred to as Education Savings Accounts or private school vouchers, open the door for public tax dollars to go to these private enterprises without accompanying plans ensuring transparency and accountability by the private schools. The Texas Constitution in Article 7, Section 1, requires the legislature "to establish and make suitable provision for the support and maintenance of an efficient system of public free schools."

As we go forward, we cannot ignore either the right of parents to decide what is best for their children nor our constitutional mandate of maintaining "public free schools." I look forward to a thorough debate and honest discussions.

I hope these comments, in addition to my letter highlighting other issues in the committee report, will ensure our discussions later this year will provide the needed support and funding for our public schools. I appreciated serving on the House Select Committee on Educational Opportunities and Enrichment, and I authorize the Committee to affix my electronic signature to the final committee report.

Sincerely,

A handwritten signature in cursive script that reads "Gary VanDeaver".

Gary VanDeaver  
Texas House of Representatives

