



Texas PTA

87th LEGISLATIVE SESSION WRAP-UP

FUNDING

SB 1 by Senator Jane Nelson/ Representative Greg Bonnen, the General Appropriations Act As finally passed SB 1 appropriates \$248.6 billion for the next two years.

SB 1 provides education funding for:

- Full funding of the state's commitment to the public education investments made in HB 3 (from the 86th Legislature), including \$3.1 billion for enrollment growth for FY22-23;
- \$60 million for supplemental special education services;
- \$464 million for increases to FSP formula funding and various student allotments; and
- \$2 billion in funds to address the costs of COVID-19 and Winter Storm Uri, including \$664 million for targeted programs to help students and schools affected by the pandemic; and
- \$5.0 million in General Revenue funds for the creation of the state broadband development office and to carry out duties such as, the development of a state broadband plan and broadband coverage maps.

HB 1525 by Representative Dan Huberty/Senator Larry Taylor, relating to the public school finance system

Known as the HB 5 clean-up bill the items below deal with items of particular relevance to TX PTA. For a more comprehensive analysis of HB 1525, please contact TX PTA.

As finally passed HB 1525:

- Requires districts to accept PTA/PTO donations for supplemental education staff positions, and to spend the donation for the purpose for which it was designated. This requirement expires Sep. 1, 2025. A request for an attorney general's opinion on this issue was submitted by Senator Larry Taylor on June 14th. We will keep you posted.
- Requires SHAC meetings to have minutes of the meetings that state the subject and content of each deliberation and each vote, order, decision, or other action taken during the meeting. There must also be an audio or video recording of the meeting. Both the minutes and the audio or video recording must be posted on the school district's website. Allows a grievance process.
- Requires school boards to adopt a policy establishing the process for adoption of human sexuality curriculum and lays out the required components of the policy.

- Requires parents to **opt-in** via written consent prior to a student receiving human sexuality instruction. Prior to this, parents who didn't want their student to participate in human sexuality instruction to opt their students out. NOTE: this provision sunsets 8/1/24.
- Autism Grant and Dyslexia Grants were updated.
- One-time COVID-19 Educational Supports were added for PTECH, Supplemental Instruction, Acceleration Supports.
- Homeless student comp ed. weight set at the highest comp-ed weight.
- Reinstated the Gifted and Talented Allotment.
- CCMR Bonus is updated to include associate degree from THECB approved institutions.
- Established the Texas Commission on Special Education Funding. Set up very similarly to the Commission on Public School Finance from the 85th Legislative Session.

The bill as finally passed DID NOT INCLUDE:

- The requirement that districts "reserve" 40% of ESSER III funds until the 2024-25 school year and supplant with local funds.
- Outcomes-based funding tied to STAAR results.

HB 3456 by Representative James White/Senator Sarah Eckhardt, relating to inclusion of funds received by certain educational institutions or programs in foundation school program funds for purposes of certain budget reductions.

As finally passed HB 3456 amends the education code to establish that for any budget reductions requested by the governor, cuts shall not be made to funding for the Texas School for the Deaf, Texas School for the Blind and Visually Impaired, Texas Juvenile Justice Department for the operation of their schools or development of juvenile justice alternative education programs, or the Goodwill Excel Center Adult High School.

DIGITAL CONNECTIVITY

HB 5 by Representative Trent Ashby/Senator Robert Nichols, relating to the expansion of broadband services to certain areas.

As finally passed HB 5 establishes the Broadband Development Office that will be tasked with

- preparing a state broadband plan,
- creating a map of areas with limited access to broadband service, and
- awarding financial incentives in those eligible areas to expand access to and adoption of service.

The bill requires the state broadband office and the state broadband plan to

- include digital literacy and skilling initiatives
- authorizes the broadband development fund to be used for those initiatives, and
- requires the broadband coverage maps to include the connectivity status of each public school and pre-school.
- Lastly, projects that connect public schools and institutions of higher education will be prioritized.

VIRTUAL EDUCATION

HB 3643 by Representative Ken King/Senator Larry Taylor, relating to the creation of the Texas Commission on Virtual Education.

As finally passed HB 3643 establishes 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.

The 13-member commission should reflect, to the extent possible, the ethnic and geographic diversity of the state and may create working groups that will study, discuss, and address specific policy issues related to the delivery of and funding for virtual education. The commission may hold public meetings as needed.

The working groups will make recommendations for the commission to consider. A report is due by December 31, 2022, with the commission’s final recommendations.

A bill to extend funding for virtual education until September 1, 2027, HB 1468, failed on the last day of the session.

INDIVIDUAL GRADUATION COMMITTEE PROGRAM

HB 999 by Representative Diego Bernal/Senator Jose Menendez, relating to individual graduation committee qualification requirements for certain students.

As finally passed HB 999 establishes that for high school seniors during the 2020-2021 school year, an individual graduation committee is not required to consider a student’s performance on an end-of-course assessment to determine whether a high school senior is qualified to graduate. This bill expires September 1, 2022.

HB 1603 by Representative Dan Huberty/Senator Kel Seliger, relating to the use of individual graduation committees and other alternative methods to satisfy certain public high school graduation requirements.

As finally passed HB 1603 removes the expiration date of September 1, 2023 for the IGC program making this program permanent. Additionally, the bill allows the commissioner to authorize special accreditation investigations to be conducted when 10 percent or more of the students graduating in a particular school year from a particular high school campus are awarded a diploma based on the determination of an individual graduation committee.

ACCELERATED INSTRUCTION

HB 4545 by Representative Harold Dutton/Senator Larry Taylor, relating to the purchase of certain-instruction-related materials, the establishment of a strong foundations grant program, providing accelerated instruction for students who fail.

As finally passed, HB 4545

- lowers the high-stakes nature of the STAAR exams for students in the 5th and 8th grades, removing the requirement that students in grades 5 and 8 pass their STAAR reading and math exams for promotion to the next grade.
- establishes a grant program to assist schools with implementing high-quality instruction, materials, and support structures, and
- provides extra funding to schools that successfully improve student achievement.

The bill establishes requirements for districts to provide accelerated learning to students who have failed a STAAR exam.

Requirements for repeated testing of a student who failed to perform satisfactorily on the exams were repealed.

School districts must establish an accelerated learning committee for each student who does not perform satisfactorily on the state grade 3, 5 and 8 math or reading exams.

The committee will develop an educational plan for the student that provides necessary accelerated instruction not later than the start of the subsequent school year.

Districts will be required to

- provide a student in grades 3 through 8 who failed to perform satisfactorily on an exam with accelerated instruction in the applicable subject during the subsequent summer or school year and
- either allow the student to be assigned a classroom teacher who is certified as a master or recognized teacher for the subsequent school year in the applicable subject area, or provide the student supplemental instruction.
- establish a process to allow for parents or guardians of a student who did not perform satisfactorily on an assessment instrument to make a request for the district consideration that the students be assigned to a particular classroom teacher in the applicable subject area for the subsequent school year, if there is more than one classroom teacher in the applicable subject area for the subsequent school year.

TEA will administer a Strong Foundations Grant program for campuses serving students enrolled in prekindergarten through grade 5 to implement a rigorous school approach that combines high-quality instruction, materials, and support structures. The bill specifies requirements for the grant program.

EARLY CHILDHOOD

SB 2081 by Senator Jose Menendez/Representative James Talarico, relating to the average ratio of students and teachers in a prekindergarten class.

As finally passed SB 2081 establishes that a school district may not enroll more than 22 students in a prekindergarten class.

This regulation applies to prekindergarten programs provided by a private school or any private entity a school district contracts with for their prekindergarten program. However, charter programs and open-enrollment charter schools are not subject to the class size restrictions established for pre-kindergarten classes.

SCHOOL COUNSELORS

SB 179 by Senator Eddie Lucio/Representative Dan Huberty, relating to the use of public school counselors' work time.

As finally passed SB 179 requires that a school counselor spend at least 80 percent of their total work time on duties that are components of a counseling program developed under the Comprehensive School Counseling Program.

Time spent administering assessment instruments or providing other assistance, except time spent interpreting data from those assessments, is not considered time spent counseling.

If the board of trustees of a school district determines that, because of staffing needs, a school counselor must spend less than 80 percent of their time counseling then they must adopt a policy with

- specific reasons why the counselor needs to spend less than 80 percent of their work time on duties that are components of the counseling program,
- a list of the duties they are performing that are not counseling, and
- a set percentage of work time that they are required to spend counseling.

A school or district may not make an employment contract that is not in line with the required counseling policies established in this legislation.

Finally, each school district shall annually assess the district's compliance with these policies and, on request by the TEA commissioner, provide a written copy of the assessment to the agency on or before the specified date.

SPECIAL EDUCATION

HB 785 by Representative Alma Allen/Senator Judith Zaffirini, relating to behavior improvement plans and behavioral intervention plans for certain public school students and notification and documentation requirements regarding certain behavior management techniques.

As finally passed HB 785 requires a review at least annually of behavior improvement plans or behavioral intervention plans for students with disabilities who are receiving special education services.

The bill also requires a behavioral assessment when a disciplinary action regarding such a student results in a change in the student's placement under federal law. It requires a school district to provide written notice to a parent when a school used a restraint on students.

SB 1716 by Senator Larry Taylor/Representative Greg Bonnen, relating to a supplemental special education services and instructional materials program for certain public school students receiving special education services.

As finally passed SB 1716 establishes that the Texas Education Agency shall create and administer a supplemental special education services and instructional materials program for students who meet the eligibility requirements.

TEA will provide the parent(s) of each approved student a grant of not more than \$1,500 to purchase **supplemental** special education services and instructional materials. TEA will maintain a system of online accounts to provide access to the grant to an eligible student's parents. The commissioner shall set aside an amount not to exceed \$30 million from the total amount of funds appropriated for each state fiscal year to fund this program.

- Eligibility criteria include that the student must be enrolled in public school in the current school year and in a school district's or charter school's special education program.
- The account may only be used by the qualifying student's parents to buy supplemental special education services or materials.
- Agency-approved providers must be appropriately licensed or accredited in Texas.
- The Admission, Review, and Dismissal (ARD) Committee that will develop a student's individualized education program shall not consider in the plan any supplemental services a student may receive through this program.
- The ARD committee shall provide materials to qualifying students' parents regarding the types of supplemental special education services available and instructions on accessing the online account. The program expires 9.1.2024.

SB 89 by Senator Jose Menendez/Representative Mary Gonzalez, relating to supplemental information required for inclusion with a written statement of an individualized education program developed for certain public school students who received special education services.

As finally passed SB 89 establishes that for each child who was enrolled in a school district's special education program during the 2019-2020 or 2020-2021 school year, the district shall prepare a written supplement to be included with a student's individualized education plan.

The supplement must include

- whether the written report of the child's individual evaluation was completed or developed during the specific school years and by the required date.
- whether the provision of special services to the child under an individualized education program was interrupted, reduced, delayed, suspended, or discontinued and
- whether the child needs compensatory educational services.
- The information previously mentioned does not need to be in the supplement if it is already included in the child's individualized education program.
- This law expires September 1, 2023.

HB 1252 by Representative Joe Moody/Senator Bob Hall, relating to the limitation period for filing a complaint and requesting a special education impartial due process hearing.

As finally passed HB 1252 prohibits the TEA from adopting a period for filing a due process complaint alleging a violation of state or federal special education laws that is shorter than two years, the maximum timeline designated by federal law.

HEALTH & SAFETY

HB 699 by Representative Jon Rosenthal/Senator Judith Zaffirini, relating to public school attendance and promotion requirements for students diagnosed with or undergoing related treatment for severe or life-threatening illnesses.

As finally passed HB 699 requires school districts to excuse an absence resulting from life threatening illness or related treatment with certification provided by a physician.

A student may not be referred to truancy court or considered to have failed to meet attendance requirements. These excused absences may not be considered in determining whether the student has satisfied the attendance requirements to move on to the next grade.

SB 239 by Senator Beverly Powell/Representative Nicole Collier, relating to the provision of educational materials regarding disease prevention during a disaster.

As finally passed SB 239 establishes that the Department of State Health Services shall develop and implement a disease prevention information system for the dissemination of immunization information during a declared state or local state of disaster, and shall ensure that educational materials regarding immunizations are available to local health authorities in this state for distribution to places like public and private schools, child-care facilities, community centers, and more.

SB 2158 by Senator Donna Campbell/Representative James Frank, relating to authorizing the Texas Education Agency to provide identification kits for certain children.

As finally passed the bill establishes that the Texas Education Agency (TEA) shall provide public schools, including open-enrollment charter schools, inkless, in-home fingerprint and DNA identification kits to be distributed through the schools on request to the parent or legal guardian of a child in kindergarten, elementary, or middle school. A parent or legal guardian who receives a fingerprint and DNA ID kit may submit the kit to federal, state, tribal, or local law enforcement to help locate and return a missing or trafficked child.

SCHOOL SAFETY

SB 168 by Senator Cesar Blanco/Representative Claudia Ordaz Perez, relating to active shooter drills conducted by public schools.

Evidence suggests that active shooter drills may be harmful to the mental health of students and school staff. According to a recent study, active shooter drills are associated with increases in depression, stress and anxiety, and physiological health problems for children as young as five years old up to high schoolers, their parents, and teachers.

As finally passed S.B. 168

- requires a school district to adopt trauma-informed methods and policies regarding active shooter drills prior to conducting a drill,
- requires notification to parents, students and staff of the timing of an active shooter drill, and
- requires the collection of data to help determine the efficacy and impact of these drills.

SB 741 by Senator Brian Birdwell/Representative Scott Sanford, relating to the carrying or storage of a handgun by a school marshal.

As finally passed SB 741 authorizes a school marshal appointed by the board of trustees of a school district, or the governing body of an open-enrollment charter school to carry a concealed handgun on the physical premises of a school or possess the handgun on the physical premises of a school in a locked and secured safe or other secured location.

The bill removes the prohibition on a school marshal carrying a weapon if their primary duty involves regular, direct contact with students.

A school marshal may use a handgun only under circumstances that would justify the use of deadly force.

VAPING REGULATION AND FLAVOR BAN

SB 248 by Senator Nathan Johnson/Representative Shawn Thierry, relating to the regulation of cigarettes, tobacco products, and e-cigarettes and the administration of taxes imposed on the sale or use of certain of those products.

As finally passed SB 248 requires retailers of e-cigarettes to obtain a permit to sell the products, adds e-cigarettes to the existing penalty structure for tobacco retailers, and increases penalties for selling e-cigarettes to minors.

While we were not successful in passing flavor bans, a good next step was taken to regulate these products and to increase penalties for selling to minors. We'll be back next session to advocate hard for banning flavors.

BULLYING/CYBERBULLYING

SB 2050 by Senator Jose Menendez/Representative Steve Allison, relating to the prevention of and the reporting of incidents of bullying committed by public school students.

As finally passed SB 2050 expands on school board requirements for adopting a policy on bullying, adding that the policy must include procedures for preventing and mediating bullying

incidents between students that interfere with a student's educational opportunities or substantially disrupts the orderly operation of a classroom or other school related activities. In addition, each district's bullying policies must be in compliance with the minimum standards set by the Texas Education Agency. These minimum standards include an emphasis on bullying prevention by

- focusing on school climate and building healthy relationships between students and staff;
- requiring each district campus to establish a committee to address bullying;
- requiring students at each grade level to meet periodically for instruction on building relationships and preventing bullying (including cyberbullying), and
- including an emphasis on increasing student reporting of bullying incidents to school employees by increasing awareness about district reporting procedures and providing anonymous reporting of bullying incidents.
- Districts are required to collect information annually through student surveys on bullying/cyberbullying.

Each school district and open-enrollment charter school must annually report through the Public Education Information Management System the number of reported incidents of bullying that have occurred at each campus. The district or school must specify the number of incidents of bullying that included cyberbullying.

MENTAL HEALTH

HB 1080 by Rep. Jared Patterson/Senator Jane Nelson, relating to the eligibility for participation in UIL activities of certain public school students who receive outpatient mental health services.

As finally passed HB 1080 requires the UIL to ensure that its rules do not exclude from eligibility for participation in a UIL activity a student who meets the following criteria:

- received outpatient mental health services from a mental health facility and was enrolled in a school district or open-enrollment charter school or
- otherwise received public education services from a district or school.

CHILD AND YOUTH TRAFFICKING

HB 390 by Representative Senfronia Thompson/Senator Joan Huffman, relating to requirements for human trafficking awareness and prevention in commercial lodging establishments.

As finally passed the bill establishes training requirements for owners of a commercial lodging business to raise awareness of human trafficking. Requires posting of signage in lodging establishments with a phone number to call to report a suspected act of human trafficking. Adds civil penalty for an operator who fails to comply with training, signage, or reporting.

HB 465 by Representative Matt Shaheen/Senator Joan Huffman, relating to changing the eligibility for release on parole of certain inmates serving sentences for trafficking offenses involving one or more child victims.

As finally passed HB 465 establishes that persons who are convicted of continuing trafficking of children or benefiting from the trafficking of children are not eligible for release on parole until their actual sentence served, without consideration of good conduct time, equals one-half of the sentence or 30 calendar years, whichever is less.

HB 2633 by Representative Ann Johnson/Senator Joan Huffman, relating to resources provided to human trafficking victims and the establishment of the trafficked persons grant program.

As finally passed SB 2633 establishes a “Trafficked Persons Grant Program” for the purpose of

- supporting publicly operated treatment centers,
- raising awareness, and
- preventing the recruitment of human trafficking victims.

A juvenile board may establish a trafficked persons program for the treatment and rehabilitation of children who are suspected to be victims of human trafficking or have been referred to the program by the Child Sex Trafficking Prevention Unit.

The bill creates a Voluntary Contribution for Trafficked Persons Program Account where residents can donate to the account when they register or renew the registration of their motor vehicle.

The bill authorizes “Stop Human Trafficking” license plates and voluntary contributions to the Trafficked Persons Program account.

SB 1831 by Senator Larry Taylor/Representative Senfronia Thompson, relating to the increase of penalties for those who engage in the crime of solicitation or trafficking on school premises.

As finally passed SB 1831 establishes that schools must post signs informing people about the increased penalties for human trafficking and requiring that information relating to human trafficking prevention be included in the curriculum of any driver education course or driving safety course.

The punishment for an offense of human trafficking is enhanced from a second-degree felony to a first-degree felony punishable by a term of imprisonment no less than 25 years if proven that the offense was committed on the premises of or within 1,000 feet of a public or secondary school, or at or within 1,000 feet of a UIL sanctioned function.

Additionally, the bill increases the punishment for online solicitation of a minor if it is proven that the actor committed the offense during regular public or private primary or secondary school hours and that the actor knew or reasonably should have known that the minor was enrolled in school during the offense.

HB 725 by Representative Patterson/Senator Judith Zaffirini, relating to the eligibility of certain children who are or were in foster care for free prekindergarten programs in public schools.

As finally passed HB 725 establishes that a child is eligible for free prekindergarten programs if the child is at least three years of age and is or has ever been in foster care in another state or territory but now resides in Texas.

JUVENILE JUSTICE REFORM

HB 30 by Representative James Talarico/Senator John Whitmire, relating to educational requirements for certain incarcerated students

As finally passed HB 30 seeks to address the fact that minors in the Texas Department of Criminal Justice who are certified as adults and those who are eligible for special education services, unlike individuals in juvenile facilities, do not have access to a high school diploma program. For some, a high school equivalency test may be available.

TDCJ's Windham School District must now develop and provide an educational program to each imprisoned person who is not a high school graduate and is younger than 18 years old or 22 years old if student qualifies for special education that includes the curriculum requirements for a high school diploma or a course of instruction that prepares the person for a high school equivalency test.

HB 2669 by Representative Ryan Guillen/Senator Judith Zaffirini, relating to the confidentiality of a child's criminal records related to certain misdemeanor offenses.

As finally passed SB 2669 establishes that all records, files, and information stored that relates to a criminal case for a fine-only misdemeanor (other than a traffic offense) that is committed by a child and is appealed are confidential and may not be disclosed to the public.

HB 3165 by Representative Morgan Meyer/Senator John Whitmire, relating to an affirmative defense to an allegation of truant conduct.

As finally passed HB 3165 changes current law so that a child who is truant due to an abusive situation in their home may NO LONGER be arrested for truancy or face civil penalties.

HB 1401 by Representative Ann Johnson/Senator Joan Huffman, relating to methods to send applications and orders for sealing juvenile records.

As finally passed HB 1401 allows applications for sealing juvenile records to be submitted by electronic means.

HB 4544 by Representative Valoree Swanson/Senator John Whitmire, relating to the issuance of personal identification certificates to youths committed to the Texas Juvenile Justice Department.

As finally passed HB 4544 requires that children waiting to be released under supervision or final discharge from the Juvenile Justice Department be provided with documents that are necessary after release including identification papers that include a person's identification certificates, if available.

In addition, before releasing a child under supervision, the department must determine whether the child has a certified birth certificate and a copy of a child's social security card. If the child does not have these documents, the department shall submit a request for the issuance for documents.

This does not apply to a child who is not legally present in the U.S. or not a resident of the state before the child was placed in custody of the department.

MEANINGFUL ASSESSMENT & ACCOUNTABILITY

HB 773 by Representative Gary VanDeaver/Senator Beverly Powell, relating to indicators of achievement under the public school accountability system for students who successfully completed a program of study in career and technical education.

As finally passed, HB 773 seeks to align state indicators with federal indicators, giving credit to campuses and districts that offer career and technical education, and to incentivize other districts to offer more of these programs by creating an indicator of achievement under the public school accountability system for students who successfully complete a program of study in career and technical education.

While Texas meets certain requirements of the federal Strengthening Career and Technical Education for the 21st Century Act by offering programs of study leading to industry-based certification and work-based learning, public school districts are not currently evaluated under the public school accountability system for offering these programs of study. These programs prepare students for high-demand, high-skill, and high-wage professions within Texas and provide coursework and practical experience that align students' education with the state's economic needs.

HB 3261 by Representative Dan Huberty/Senator Larry Taylor, relating to the electronic administration of assessment instruments in public schools and to certain measures to support Internet connectivity for purposes of those assessment instruments.

As finally passed HB 3261 implements the transition plan for electronic assessment that was set in motion last session with the passage of HB 3906 directing TEA to study the feasibility of electronic assessment of STAAR and to develop a plan.

The bill requires that STAAR exams be administered electronically unless the commissioner determines otherwise and includes a temporary matching grant to ensure schools are prepared for electronic testing for the next biennium. Additionally, the bill allows districts to spend funds from the Technology & Instructional Materials Allotment on Internet connectivity and training for online assessment.

HB 1147 by Representative Dan Huberty/Senator Kel Seliger, related to military readiness for purposes of the college, career, or military readiness outcomes bonus under the Foundation School Program.

As finally passed HB 1147 adds enlistment in the Texas National Guard as a qualifying activity for the College, Career, or Military Readiness outcomes bonus.

VOUCHERS

No voucher legislation passed this session.

TAXPAYER FUNDED LOBBYING PROHIBITION

No legislation passed to restrict the use of public money by political subdivisions (cities, counties, school districts, hospital districts) to hire lobbyists to represent their interests before the Texas Legislature.

CIVICS INSTRUCTION

HB 3979 by Representative Steve Toth/Senator Brandon Creighton, relating to civics instruction public school students and instruction policies in public schools.

As finally passed the bill establishes that the State Board of Education shall adopt essential knowledge and skills that develop each student's civic knowledge, including an understanding of various issues that range from the founding documents to our country's history of white supremacy.

In addition to identifying the topics that must be covered, the bill discusses requirements for teaching any curriculum in a social studies course. For instance,

- a teacher may not be compelled to discuss a particular current event or widely debated controversial issue of public policy or social affairs.
- If they do, they shall strive to explore the topic from diverse and contending perspectives without giving deference to any one perspective.

Additionally, a teacher may not require, make part of a course, or award course credit (including extra credit):

- to a student for their political activism, lobbying or efforts to persuade members of the legislature or executive branch to take specific actions by direct communication; or
- participation in any internship or practicum involving social or public policy advocacy.

The bill prohibits teachers from being required to engage in training or therapy that presents any form of race stereotyping or blame on the basis of race or sex, and details other training concepts that teachers may not be required to participate in.

The bill details what a teacher, administrator, or other employee of a state agency, school district, or open-enrollment charter school may not do or teach (e.g., teach that one race or sex is inherently superior to another race or sex, require students to understand the 1619 Project, etc.).

A state agency, school district, or open-enrollment charter school may not accept private funding for the purpose of developing a curriculum, purchasing or selecting curriculum materials, or providing teacher training or professional development.

A school district or open-enrollment charter school may not implement, interpret, or enforce any rules that would result in the punishment of a student for discussing, or have a chilling effect on student discussion of, any curriculum topics discussed in this bill.

HOME SCHOOLED STUDENTS AND UIL PARTICIPATION

HB 547 by Representative James Frank/Senator Angela Paxton, relating to authorizing equal opportunity for access by home-schooled students to University Interscholastic League sponsored activities.

As finally passed the bill defines home schools as private schools for the purposes of this legislation.

A public school that participates in an activity sponsored by the league may provide a non-enrolled student, who otherwise meets league eligibility standards to represent that school in a league activity, with the opportunity to participate in the activity on behalf of the school in the same manner as enrolled students.

A non-enrolled student who seeks to participate or participates in a league activity on behalf of a school is subject to the same relevant policies as an enrolled student (e.g., registration for league activities, age eligibility, fees, etc.).

Non-enrolled students may only participate in a league activity for a school in the district that they would be eligible to attend based on their residential address.

The parent or person standing in parental relation to a non-enrolled student is responsible for oversight of academic standards relating to their participation in a league activity.

- A non-enrolled student must demonstrate grade-level academic proficiency using any nationally recognized, norm-referenced assessment instrument (e.g., the Iowa Test of Basic Skills, Stanford Achievement Test, etc.).
- After the first six weeks of a school year, the parent or person standing in parental relation to a non-enrolled student must periodically, in accordance with the school's grading calendar, provide written verification to the school indicating that the student is receiving a passing grade in each course or subject being taught.

A non-enrolled student is not authorized to participate in a league activity during the remainder of any school year during which they were previously enrolled in a public school.

The bill establishes several requirements regarding the eligibility for a non-enrolled student to participate in a league activity. Specifically,

- the curriculum or assessment requirements provided to a non-enrolled student may not be required to be changed for the student to participate in a league activity.

- A non-enrolled student participating in an education program on January 1, 2021, the program provided to them may not be required to comply with any state law or agency rule unless the law or rule was in effect that year.
- A non-enrolled student who participates in a league activity under this section is subject to the immunization requirements and exceptions in the same manner as a public-school student.