

**SENATE COMMITTEE
ON EDUCATION**



**Report to the 81st Legislature
December 2008**

SENATE COMMITTEE ON EDUCATION

SENATOR FLORENCE SHAPIRO

Chair
SENATOR KYLE JANEK
Vice Chair



MEMBERS:
SENATOR KIP AVERITT
SENATOR STEVE OGDEN
SENATOR DAN PATRICK
SENATOR LETICIA VAN de PUTTE
SENATOR ROYCE WEST
SENATOR TOMMY WILLIAMS
SENATOR JUDITH ZAFFIRINI

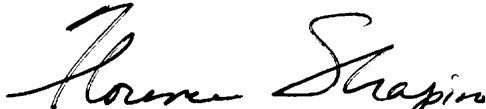
December 2008

The Honorable David Dewhurst
Lieutenant Governor of the State of Texas
Members of the Texas Senate
P.O. Box 12068
Austin, Texas 78711

Dear Governor Dewhurst and Members of the Texas Senate:

The Senate Committee on Education is pleased to submit its final interim report with recommendations for consideration by the 81st Legislature in preparation for the regular session.

Respectfully submitted,



Senator Florence Shapiro, Chair



Senator Kip Averitt



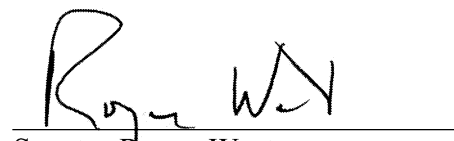
Senator Steve Ogden



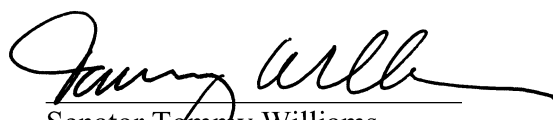
Senator Dan Patrick



Senator Leticia Van De Putte



Senator Royce West



Senator Tommy Williams



Senator Judith Zaffirini



TABLE OF CONTENTS

| | |
|---|-----------|
| Charges to the Senate Education Committee..... | 1 |
| Executive Summary..... | 3 |
| Report..... | 6 |
| Charge 1: Special Education..... | 6 |
| Charge 2: Public School Accountability..... | 10 |
| Charge 3: Adult Basic Education..... | 11 |
| Charge 4: English Language Learners..... | 13 |
| Charge 5: Career and Technical Education..... | 15 |
| Charge 6: Instructional Materials..... | 18 |
| Charge 7: Monitor Implementation..... | 21 |
| Letters from Members..... | I |
| Endnotes..... | i |

CHARGES TO THE SENATE COMMITTEE ON EDUCATION



1. Study the effectiveness of public school programs serving special education students, including autistic students. Specifically, consider whether special education services are adequately preparing students for post-secondary opportunities. The review should also include the availability and quality of the supports and services provided by adult services agencies for individuals with disabilities. Make recommendations for improving public school special education programs and the coordination of adult education services among state agencies.
2. Conduct a comprehensive review of the public school accountability system and make recommendations for improvements. The review shall include indicators in the current system, measures of district and campus performance, public expectations, individual student achievement and measures of teacher, program and financial effectiveness.
3. Review and make recommendations to improve the state's Adult Basic Education program. Emphasis should be placed on ways to advance literacy in Texas in order to promote economic and individual development. The review should also include a study of the coordination of adult education services among state agencies and the availability and accessibility of state and federal funding.
4. Review and make recommendations regarding best practices for programs targeted to improve the academic success of limited English-proficient students.
5. Review the access and quality of career and technical education programs in the state and make recommendations to improve these programs to address the economic and workforce needs of this state.

6. Make recommendations for controlling the costs of textbooks from kindergarten through higher education, and monitor the implementation of HB 188, 80th Legislature, relating to instructional materials.
7. Monitor the implementation of legislation addressed by the Education Committee, 80th Legislature, Regular Session, and make recommendations for any legislation needed to improve, enhance and/or complete implementation. Specifically, monitor the implementation of HB 2237, relating to grants and programs for dropout prevention, high school success and college and workforce readiness in public schools. Include a review of the revised methodology the Texas Education Agency uses to calculate the dropout rate. Report on the implementation of education reforms in House Bill 1, 79th Third Called Special Session. The review should include: the implementation of the high school allotment, the development of the best practices clearinghouse and the electronic student records system, the alignment of curriculum to attain college readiness, student improvement/growth models and access to college credit in high school. The committee should also study and make recommendations on how to continue strengthening the P-16 Initiative to promote college attendance in this state.

EXECUTIVE SUMMARY

Interim Charge 1 - Special Education

- 1) Empower parents and students within the special education system to encourage stronger collaboration between schools, parents, and students in designing an individualized education program (IEP) to meet the needs of each student.
 - a. Utilize alternative dispute resolution strategies.
 - b. Reinstigate fairness and transparency to due process hearings.
 - c. Give parents and advocates the opportunity to receive training that is provided to school district personnel on the public's time or with public funding.
- 2) Establish a state-funded risk pool to provide funding relief to districts that implement effective early intervention models.
- 3) Require student-centered transition planning as part of a student's IEP to begin at age 14 to ensure a more effective transition.
- 4) Utilize Texas' Education Research Centers to conduct a comprehensive review of the transitions between K-12 systems and the postsecondary world for students receiving special education services. This review should cover the transition to higher education institutions, employment, home-based programs, community-based programs, state schools, and the utilization of human service programs. The review should culminate in recommendations to the legislature on how to streamline and enhance the transition process.

Interim Charge 2 - Public School Accountability

Due to the appointment of a Select Committee on Public School Accountability, the Senate Education Committee held no formal hearings on this charge

Interim Charge 3 - Adult Basic Education

- 1) Retain current adult basic education funding methodology and amounts to ensure the continued receipt of matching federal funds.
- 2) Review the implementation and establish a deadline to complete the major provisions of the memorandum of understanding between the Texas Education Agency, the Texas Higher Education Coordinating Board, and the Texas Workforce Commission in delivering adult basic education.
- 3) Use any new funds for adult basic education funding to pilot programs at higher education institutions targeting dropout recovery.

Interim Charge 4 - English Language Learners

- 1) Develop a toolbox of high-quality, research-based professional development and instructional strategies for teachers of English language learners.

Interim Charge 5 - Career and Technical Education (CTE)

- 1) Foster development of quality CTE courses and collaborations:
 - a. Align public school programs with higher education and workforce outcomes.
 - b. Utilize the virtual school network to provide access to quality programs.
 - c. Develop an outcome-based measure of success for CTE programs.
- 2) Expand implementation of quality CTE courses and collaborations:
 - a. Fund courses and coherent sequences of courses that lead to an industry recognized credential, occupational certification issued by an approved national body, a state license, college credit or degree at the postsecondary level.
 - b. Integrate regional education and workforce entities to create a cohesive regional postsecondary strategic action plan.
 - c. Adjust timelines that discourage students from earning college credit in high school.
 - d. Improve portability of credits for dual and articulated CTE courses.

Interim Charge 6 - Instructional Materials

- 1) Direct the SBOE to ensure students have access to instructional materials that include all college readiness standards by 2011-2012 (first year of end of course exams).
- 2) Allow districts pursuing alternative delivery methods flexibility in purchasing curriculum content.
- 3) Implement the federal textbook portions of the Higher Education Opportunity Act and impose penalties for failure to follow the regulations.

Interim Charge 7 - Monitor Implementation of HB 2237 (80th Regular Session) and HB 1 (79th Third Called Special Session)

- 1) Require the completion of the High School Completion and Success Initiative Council's statutory directive to evaluate the effectiveness, coordination, and alignment of high school completion and college and workforce readiness efforts.
- 2) Continue funding the science lab grant program.

- 3) Increase support of teachers in both new educator preparation and professional development to improve their effectiveness.
- 4) Postsecondary Readiness: Fully align curriculum, assessments, and accountability with measures of postsecondary success. The concept of college readiness should be expanded to a broad concept of postsecondary readiness that includes preparedness for four-year universities, community colleges, technical colleges, the workforce, and the military.
- 5) High School Allotment: Develop a system to successfully monitor the use and effectiveness of high school allotment funds. Districts should not receive high school allotment funds unless they comply with monitoring requirements. Increased high school allotment funds should not be allowed to supplant current spending.
- 6) College Credit: When developing a statewide strategic plan, the state should ensure that structures exist for all students to have access to college credit while in high school and require all students to develop a graduation plan that promotes the productive use of their senior year.
- 7) Best Practices Clearinghouse: Expand eligibility to include best practices from schools that are not recognized or exemplary.
- 8) Principal Leadership: Change timeframes to allow participation prior to the school year and modify program requirements so that state and federal intervention efforts complement each other as tools for school improvement.
- 9) Electronic Transcripts: Revise, update, and modernize Texas' data system.

SPECIAL EDUCATION

Interim Charge One: Study the effectiveness of public school programs serving special education students, including autistic students. Specifically, consider whether special education services are adequately preparing students for post-secondary opportunities. The review should also include the availability and quality of the supports and services provided by adult services agencies for individuals with disabilities. Make recommendations for improving public school special education programs and the coordination of adult education services among state agencies.

The Senate Education Committee held hearings on June 23 and August 18, 2008 and received both invited and public testimony on interim charge one. Digital recordings of the hearings along with submitted written materials are available via the Education Committee's website at

<http://www.senate.state.tx.us/75r/senate/commit/c530/handouts06/h100406a.htm>.

Recommendations

- 1) Empower parents and students within the special education system to encourage stronger collaboration between schools, parents, and students in designing an individualized education program (IEP) to meet the needs of each student.
 - a. Utilize alternative dispute resolution strategies.
 - b. Reinstigate fairness and transparency to due process hearings.
 - c. Give parents and advocates the opportunity to receive training that is provided to school district personnel on the public's time or with public funding.
- 2) Establish a state-funded risk pool to provide funding relief to districts that implement effective early intervention models.
- 3) Require student-centered transition planning as part of a student's IEP to begin at age 14 to ensure a more effective transition.
- 4) Utilize Texas' Education Research Centers to conduct a comprehensive review of the transitions between K-12 systems and the postsecondary world for students receiving special education services. This review should cover the transition to higher education institutions, employment, home-based programs, community-based programs, state schools, and the utilization of human service programs. The review should culminate in recommendations to the legislature on how to streamline and enhance the transition process.

Committee Comments

Texas should focus on postsecondary readiness for the over 470,000 students receiving special education services in the state.¹ To achieve this goal, Texas should focus on both the quality of its educational services and the effectiveness of its transition system. As the federal Individuals with Disabilities Education Act (IDEA) governs most special education issues, Texas must ensure its efforts also align with the federal law.

Ensuring Quality Special Education Services

Students will only meet postsecondary expectations if the collaboration between parents and schools improves and the state supports successful interventions.

Parents and their children must navigate a special education system that is at best challenging and at worst dysfunctional and adversarial. A number of parents testified regarding their frustrations with the current system. One parent addressed the discrepancies in what schools provide for students with special needs:

The question successful schools ask is, what do we need to do to ensure the success of this student? Yet, in other schools, they may ask very different questions, does the law require us to do this, how much will it cost, or will the parents know if we do not do this. These schools often are refusing to provide the same services that another school in their district or another district right next door is providing even though they know it will help the student achieve their goals.²

A key challenge parents face is the special education due process hearing system administered by the Texas Education Agency (TEA). These hearings are costly and adversarial for parents and districts alike.³ Parents feel they lack a level playing field with the school, as evidenced by parents winning disputes only one percent of the time as opposed to thirty percent nationally.⁴ A number of alternative dispute resolution strategies exist with the potential to create a more collaborative relationship between schools, parents, and students.⁵

Another seemingly prevalent problem in the current system is the practice of schools paying to send their staff to legal conferences that exclude parents from attending these conferences. Parents testified that these legal conferences around the state exclude parents and further contribute to the adversarial relationship between parents and districts.

To ensure the best education for all students with special needs, the state should empower parents and students within the special education system to encourage stronger collaboration between schools, parents, and students in designing an individualized education program (IEP) to meet the needs of each student. This should include utilizing alternative dispute resolution strategies, reinstating fairness and transparency in due process hearings, and giving parents and advocates the opportunity to receive training that is provided to school district personnel on the public's time or with public funding.

Identifying students who need special education instruction versus intensive regular education is often difficult. If districts and educators focus on effective early interventions for students, the number of students who qualify for special education funding may suddenly decline. This sudden decline may affect special education services at the district. In order to protect districts that focus on pre-emptive interventions, the state should create a risk pool that would provide funding to alleviate pressures created by a significant drop in special education student counts.

An Effective Transition System

A key purpose of IDEA is "to ensure that all children with disabilities have available to them a free appropriate public education that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living."⁶ To meet those goals, students must receive an appropriate education focused on that goal at every step along the educational pipeline. As students grow older, it becomes even more vital that they have targeted and specific plans for transition.

Current TEA rules require a student's admission, review, and dismissal (ARD) committee to consider transition issues beginning when the student turns 16.⁷ A parent testified to the urgency of earlier transition planning:

A sad fact is that, by the age of 16, many youth with disabilities have dropped out of school. Perhaps with earlier planning they might have been able to see the possibilities for their lives and a real way to move forward toward those goals. Transition planning for students with disabilities needs to begin much earlier than 16.⁸

Some districts begin transition activities early in the student's educational program since it may require many years to establish the necessary supports and community connections.⁹ But it is insufficient to simply move up the age at which transition

planning begins. Several witnesses recommended "person-centered planning," which, in the words of Jeff Miller, "can let a student's strengths, needs, and interests drive the transition planning process."¹⁰

To help our students meet the goals of postsecondary readiness and to ensure a more effective transition, the state should require student-centered transition planning as part of a student's IEP to begin at age 14.

Texas should also utilize the state's education research centers to conduct a comprehensive review of the transitions between K-12 systems and the postsecondary world for students receiving special education services. This review should cover the transition to higher education institutions, employment, home-based programs, community-based programs, state schools, and the utilization of human service programs. The review should culminate in recommendations to the legislature on how to streamline and enhance the transition process.

PUBLIC SCHOOL ACCOUNTABILITY

Interim Charge Two: Conduct a comprehensive review of the public school accountability system and make recommendations for improvements. The review shall include indicators in the current system, measures of district and campus performance, public expectations, individual student achievement and measures of teacher, program and financial effectiveness.

Due to the appointment of a Select Committee on Public School Accountability, the Senate Education Committee held no formal hearings on this charge.¹¹ Digital recordings of the Select Committee hearings along with submitted written materials are available via the Select Committee on Public School Accountability's website at <http://www.senate.state.tx.us/75r/senate/commit/c835/c835.htm>.

ADULT BASIC EDUCATION

Interim Charge Three: Review and make recommendations to improve the state's Adult Basic Education program. Emphasis should be placed on ways to advance literacy in Texas in order to promote economic and individual development. The review should also include a study of the coordination of adult education services among state agencies and the availability and accessibility of state and federal funding.

The Senate Education Committee held a hearing on October 14, 2008 and received both invited and public testimony on interim charge three. Digital recordings of the hearing along with submitted written materials are available via the Education Committee's website at

<http://www.senate.state.tx.us/75r/senate/commit/c530/handouts06/h101806a.htm>.

Recommendations

- 1) Retain current adult basic education funding methodology and amounts to ensure the continued receipt of matching federal funds.
- 2) Review the implementation and establish a deadline to complete the major provisions of the memorandum of understanding between the Texas Education Agency, the Texas Higher Education Coordinating Board, and the Texas Workforce Commission in delivering adult basic education.
- 3) Use any new funds for adult basic education funding to pilot programs at higher education institutions targeting dropout recovery.

Committee Comments

The Texas Education Agency oversees adult basic education in Texas.¹² Federal law dictates use of adult basic education funds.¹³ This structure has been most effective at serving adults who are learning English.¹⁴

But Texas has seen a decline in completion of ABE classes by 16 percent overall¹⁵ and 22 percent for ABE classes focused on postsecondary education.¹⁶ This is troublesome, especially since jobs in the future will increasingly require some form of postsecondary training.¹⁷ Texas exceeds the national average in the number of adults who did not complete high school.¹⁸ To ensure a well-educated workforce prepared for the future work environment, the state should focus ABE resources on dropout recovery to prepare more adults for postsecondary training.

Federal funding restrictions prevent blanket changes to the current system. In order to continue receiving federal matching funds, the state should continue funding ABE through its current methodology.

Last session the legislature began efforts to rethink ABE by requiring TEA and THECB to create an action plan regarding ABE.¹⁹ The agencies, in conjunction with the Workforce Commission, are in the process of creating a memorandum of understanding to coordinate their efforts.²⁰ The legislature should review the implementation and establish a deadline to complete the major provisions of the memorandum of understanding between TEA, THECB, and the Workforce Commission in delivering adult basic education.

Higher education institutions have a natural incentive to recover these participants and reinsert them into the postsecondary education pipeline. The state should continue its efforts to rethink ABE and promote its global competitiveness by using new funds to pilot adult basic education programs at institutions of higher education.

ENGLISH LANGUAGE LEARNERS

Interim Charge Four: Review and make recommendations regarding best practices for programs targeted to improve the academic success of limited English-proficient students.

The Senate Education Committee held hearings on June 23 and October 20, 2008 and received both invited and public testimony on interim charge four. Digital recordings of the hearings along with submitted written materials are available via the Education Committee's website at

<http://www.senate.state.tx.us/75r/senate/commit/c530/c530.htm>.

Recommendation

- 1) Develop a toolbox of high-quality, research-based professional development and instructional strategies for teachers of English language learners.

Committee Comments

Texas has over 775,000 English language learners (ELLs) from early childhood programs through grade 12.²¹ ELLs speak over 120 different languages, and they comprise 16.59 percent of the student population.²² As projections show rapid increases in the number of these students, Texas must ensure their effective education.

Texas law defines a student of limited English proficiency (LEP), as "a student whose primary language is other than English and whose English language skills are such that the student has difficulty performing ordinary classwork in English."²³

ELLs must be educated through bilingual education programs or English as a Second Language (ESL) programs. Bilingual education programs apply for districts with an enrollment of 20 or more LEP students in any language classification in the same grade level district-wide for prekindergarten through Grade 5 (or sixth grade when clustered with elementary grades).²⁴ ESL programs apply if a district lacks the student counts requiring bilingual education.²⁵

Within both bilingual and ESL programs, differences exist in the specific types and quality of programs. Due to the number of languages and student concentrations, districts vary in the way they serve their ELLs.

Given the differences in programs and local needs, focusing on highly effective teachers remains the state's best avenue to improve success of English language learners. The state should provide teachers the training and tools needed to help ELLs succeed.

A key area for professional development is enhancing the skills necessary to teach students the academic language needed for content area success. As a Texas researcher noted, "It's not, per se, the language of instruction. It's the language in instruction."²⁶

To ensure that teachers have the tools they need, the state should develop a toolbox of research-based professional development and instructional strategies for teachers of English language learners.

CAREER AND TECHNICAL EDUCATION

Interim Charge Five: Review the access and quality of career and technical education programs in the state and make recommendations to improve these programs to address the economic and workforce needs of this state.

The Senate Education Committee held hearings on May 19 and October 20, 2008 and received both invited and public testimony on interim charge five. Digital recordings of the hearings along with submitted written materials are available via the Education Committee's website and may be found at <http://www.senate.state.tx.us/75r/senate/commit/c530/c530.htm>.

Recommendations

- 1) Foster development of quality CTE courses and collaborations:
 - a. Align public school programs with higher education and workforce outcomes.
 - b. Utilize the virtual school network to provide access to quality programs.
 - c. Develop an outcome-based measure of success for CTE programs.

- 2) Expand implementation of quality CTE courses and collaborations:
 - a. Fund courses and coherent sequences of courses that lead to an industry recognized credential, occupational certification issued by an approved national body, a state license, college credit or degree at the postsecondary level.
 - b. Integrate regional education and workforce entities to create a cohesive regional postsecondary strategic action plan.
 - c. Adjust timelines that discourage students from earning college credit in high school.
 - d. Improve portability of credits for dual and articulated CTE courses.

Committee Comments

The state has established postsecondary readiness as its goal for education—a necessary step for the state to be economically competitive. A robust system of quality career and technical education (CTE) programs that complements traditional academic pathways can prepare students for postsecondary endeavors, either education or 21st century jobs, while curbing dropout rates.

Developing CTE Courses and Collaborations

Despite high participation in CTE courses, the quality of those offerings varies widely across the state. Model programs from around the state maximize partnerships with public education, higher education, and local industry partners.²⁷ Despite instances of excellence, the state lacks a systemic approach to ensure quality CTE statewide.

The state should foster the development of quality CTE courses and collaborations by aligning public school programs with higher education and workforce outcomes, utilizing the virtual school network to provide access to quality programs, and developing an outcome-based measure of success for CTE programs.

Implementing and Expanding CTE Courses and Collaborations

Texas' economic strength links directly to the quality of its education, as noted by Texas Workforce Commission Chairman Tom Pauken:

Without a skilled workforce, we will be unable to maintain the rate of growth in job creation that we have seen over the past several years in Texas. An important requirement of employers seeking to relocate or expand their business is the availability of a more skilled workforce. We must be able to supply workers on the employers' timeline in order to remain competitive in attracting jobs to our state.²⁸

Several other industry voices echoed the desperate need for a skilled workforce in Texas, from regional employers losing a significant amount of their employee base²⁹ to the lack of qualified employees in an entire economic sector.³⁰ Quality CTE programs can prepare students academically while preparing them for the economic opportunities that will be available in Texas. The state should focus career and technical education programs on preparing students for the state's future economic opportunities.

College and career readiness are increasingly one and the same. Research from ACT found "empirical evidence that, whether planning to enter college or workforce training programs after graduation, high school students need to be educated to a comparable level of readiness in reading and mathematics."³¹

Our economy depends on high-skill jobs that require education and training beyond what high schools offer; a high school diploma is no longer enough.

According to Chairman Pauken, 80% of all new jobs created in the U.S. require some form of postsecondary education.³²

Whether through short-term on-the-job training, an associate's degree, or more advanced education, students need comparable skills to succeed in life after high school. To reach postsecondary readiness and reduce dropout rates, the state should foster the implementation and expand the quality of CTE courses and collaborations by funding courses and coherent sequences of courses that lead to an industry recognized credential, occupational certification issued by an approved national body, a state license, college credit or degree at the postsecondary level, integrating regional education and workforce entities to create a cohesive regional postsecondary strategic action plan, adjusting timelines that discourage students from earning college credit in high school, and improving the portability of credits for dual and articulated CTE courses.

INSTRUCTIONAL MATERIALS

Interim Charge Six: Make recommendations for controlling the costs of textbooks from kindergarten through higher education, and monitor the implementation of HB 188, 80th Legislature, relating to instructional materials.

The Senate Education Committee held hearings on February 27 and October 20, 2008 and received both invited and public testimony on interim charge six. Digital recordings of the hearing along with submitted written materials are available via the Education Committee's website at

<http://www.senate.state.tx.us/75r/senate/commit/c530/c530.htm>.

Recommendation

- 1) Direct the SBOE to ensure students have access to instructional materials that include all college readiness standards by 2011-2012 (first year of end of course exams).
- 2) Allow districts pursuing alternative delivery methods flexibility in purchasing curriculum content.
- 3) Implement the federal textbook portions of the Higher Education Opportunity Act and impose penalties for failure to follow the regulations.

Committee Comments

Public Education

HB 1 requires instructional materials that have incorporated college readiness standards for reading to be available by 2009-2010, math by 2010-2011, science 2011-2012, and social studies by 2012-2013.³³ SB 1031 requires end of course exams using college readiness standards to be used starting in 2011-2012.³⁴ TEA plans to have college ready materials available on the internet by 2011.³⁵ Students must have access to college ready materials prior to being held accountable for it.

HB 188 requires the State Board of Education to adopt rules for textbook adoptions and midcycle adoption. TEA testified that the SBOE recently implemented those changes.³⁶ Among the changes, SBOE will take into consideration the alignment of the textbook adoption process with the revision of the TEKS. Further, the SBOE adopted rules for the midcycle adoption. The purpose of the midcycle adoption is not for development of new materials, but an opportunity for publishers to submit existing materials to the SBOE for their review.³⁷ The SBOE adopted

rules that limit the midcycle adoption to be for only those subjects that are not currently under review by the board.³⁸

The textbook adoption process focuses on a limited number of subject areas each year and a limited number of formats for content.³⁹ Even though midcycle adoption is being implemented, the state's static model of content funding does not work well for all districts. Districts should have the freedom to offer innovative methods for content delivery and not be held back by the state's funding model. The Legislature should provide that freedom by funding content in various formats while still ensuring quality and access.

Higher Education

The Higher Education Opportunity Act of 2008 (HEOA) was signed into law on August 14, 2008.⁴⁰ The law provides new regulations on textbooks with the purpose of reducing the cost of higher education for students. The law targets publishers and higher education institutions.

Specifically, the law requires publishers to inform the book's selector (most likely the professor) of four details:

- How much the book and any other supplemental materials will cost the general public;
- The copyright dates of the three previous editions (if any);
- A description of the substantial revisions made between the last and current editions of the materials;
- The availability of the materials in other formats and the pricing of those other formats.⁴¹

Additionally, publishers must provide an unbundled version of their materials, each individually priced. Finally, when possible, publishers must provide information regarding the creation of custom textbooks. Custom textbooks allow professors to choose particular content to create their own version of a book.

The HEOA requires institutions of higher education to provide the International Standard Book Number (ISBN) or its equivalent and pricing details for all books and supplemental materials in the pre-registration information provided to the students.⁴² This allows students to seek alternative methods for purchasing the materials needed for class. The institutions must also provide course schedules and required materials information to their contracted bookstores as soon as possible.⁴³ This allows bookstores to accurately order and advertise what materials are needed for the next academic period. This gives students early notice when they register

for a class to help them budget how much textbooks will cost them the next semester.

Finally, the HEOA encourages institutions to disseminate information regarding programs at the institution related to textbook rental, guaranteed buy-back, alternative delivery, and other cost saving strategies.

The provisions set forth in the HEOA will help reduce the costs of higher education for students. However, the federal law does not take affect until 2010, and Texas should implement the federal regulations in the 81st Legislative Session to give immediate relief to students. Additionally, the HEOA does not impose penalties or sanctions on publishers or institutions that do not follow these regulations. Therefore, Texas should impose stiff penalties on both for failure to follow these regulations. Any monetary penalties collected should go into a scholarship fund designed to help students pay for their education.

MONITOR IMPLEMENTATION HB 2237 (80th REGULAR SESSION) AND HB 1 (79th THIRD CALLED SESSION)

Interim Charge Seven: Monitor the implementation of legislation addressed by the Education Committee, 80th Legislature, Regular Session, and make recommendations for any legislation needed to improve, enhance and/or complete implementation. Specifically, monitor the implementation of HB 2237, relating to grants and programs for dropout prevention, high school success and college and workforce readiness in public schools. Include a review of the revised methodology the Texas Education Agency uses to calculate the dropout rate. Report on the implementation of education reforms in House Bill 1, 79th Third Called Special Session. The review should include: the implementation of the high school allotment, the development of the best practices clearinghouse and the electronic student records system, the alignment of curriculum to attain college readiness, student improvement/growth models and access to college credit in high school. The committee should also study and make recommendations on how to continue strengthening the P-16 Initiative to promote college attendance in this state.

The Senate Education Committee held hearings on February 27 and October 20, 2008 and received both invited and public testimony on interim charge seven. Digital recordings of the hearings along with submitted written materials are available via the Education Committee's website and may be found at <http://www.senate.state.tx.us/75r/senate/commit/c530/handouts06/h101806a.htm>.

HB 2237

Recommendations

- 1) Require the completion of the High School Completion and Success Initiative Council's statutory directive to evaluate the effectiveness, coordination, and alignment of high school completion and college and workforce readiness efforts.
- 2) Continue funding the science lab grant program.
- 3) Increase support of teachers in both new educator preparation and professional development to improve their effectiveness.

Committee Comments

Under HB 1, the state defined the goal of education as preparing students for college readiness.⁴⁴ Since the skills necessary for success in higher education closely align with those necessary for success in the workforce or in the military, this concept is more appropriately called postsecondary readiness.⁴⁵

The legislature continued this paradigm shift by adopting end of course exams that should measure postsecondary readiness.⁴⁶ Another element was HB 2237.

HB 2237 included several provisions: grant programs for dropouts, a science lab program, a reading academies program, and a high school council to develop a strategic vision on the use of resources at the high school level.⁴⁷ These provisions have been implemented with varying degrees of success.

Strategic Vision for Education

The Texas education system flows \$40 billion a year, it employs over 600,000 full time equivalent employees, has over 8,000 campuses, and teaches nearly 4.6 million students.⁴⁸ The system's vast scope makes it imperative to have a clear understanding of the system's aim and to ensure its resources work together to reach that goal. This is why HB 2237 created a high school council to develop a strategic vision for the use of resources at the high school level.⁴⁹

The plan adopted by the council on March 11, 2008 provides a starting point.⁵⁰ The state must continue to comprehensively address how current programs and initiatives throughout the system should work together to ensure every student has the opportunity to graduate ready for postsecondary success.

In addition, Texas will likely want to replace the target revenue system from HB 1 with a functional formula structure. Understanding how well a proposed funding model supports the structures necessary to achieve postsecondary readiness will enlighten those deliberations.

Texas should develop a comprehensive strategic vision of its education system that clearly shows how current resources and strategies align to achieve the goal of preparing every student for postsecondary success. This strategic vision should clearly define how resources work together across all grades and courses.

Science Labs

The 80th Legislature created a science facility assistance program.⁵¹ The four-year science requirement under HB 1 applied to students entering the ninth grade in 2007-2008.⁵² These students will have to access a science lab by their 12th grade year in 2010-2011. This will be fiscal year 2010, the first year of the state's next appropriations cycle. Since the program may cover renovations as well as construction, the state should continue funding the science lab program.

Teacher Support

HB 2237 enacted teacher reading academies for teachers in grades 6-8.⁵³ This program revived the teacher academies previously used in the elementary grades. The state needs additional focus on educator support.

As the state aligns its system to achieve postsecondary success, end of course exams will replace the comprehensive TAKS assessments, and students will take four years of the core subject areas.⁵⁴ This increase in rigor will help ensure that students graduate with the skills necessary to compete in an increasingly competitive world.

Teachers are the key to success for students in meeting these high goals. This educator workforce needs both preparation and ongoing professional development to ensure that they are equipped to meet the challenge. The state should increase its support of teachers in both new educator preparation and professional development to improve their effectiveness.

HB 1

Recommendations

- 4) Postsecondary Readiness: Fully align curriculum, assessments, and accountability with measures of postsecondary success. The concept of college readiness should be expanded to a broad concept of postsecondary readiness that includes preparedness for four-year universities, community colleges, technical colleges, the workforce, and the military.
- 5) High School Allotment: Develop a system to successfully monitor the use and effectiveness of high school allotment funds. Districts should not receive high school allotment funds unless they comply with monitoring requirements. Increased high school allotment funds should not be allowed to supplant current spending.
- 6) College Credit: When developing a statewide strategic plan, the state should ensure that structures exist for all students to have access to college credit while

in high school and require all students to develop a graduation plan that promotes the productive use of their senior year.

- 7) Best Practices Clearinghouse: Expand eligibility to include best practices from schools that are not recognized or exemplary.
- 8) Principal Leadership: Change timeframes to allow participation prior to the school year and modify program requirements so that state and federal intervention efforts complement each other as tools for school improvement.
- 9) Electronic Transcripts: Revise, update, and modernize Texas' data system.

Committee Comments

College Readiness

THECB and TEA established vertical teams to develop college readiness standards.⁵⁵ The Commission for a College Ready Texas, formed by the Governor, assisted the vertical teams in their efforts.⁵⁶

The college readiness standards represent the goal for which Texas' P-12 system should prepare students. As defined, these are the skills necessary to be successful at entry level courses at post-secondary institutions in Texas.⁵⁷ Initial indications from third-party evaluators indicate strong alignment between national standards and the vertical team standards in the areas of Math and English Language Arts.⁵⁸

THECB adopted the college readiness standards, and HB 1 calls for the SBOE to incorporate these standards into Texas' curriculum.⁵⁹ Properly incorporating the college readiness standards is imperative as textbooks, assessments, and teacher training will derive from the curriculum adopted by the SBOE. This importance increases should the legislature include measures of postsecondary readiness in the accountability system.⁶⁰

As of this report, no independent third-party evaluation exists to prove that the curriculum incorporates the college readiness standards at the level necessary to achieve Texas' purpose.

High School Allotment

HB 1 increased the spotlight on high schools.⁶¹ To assist in preparing students for postsecondary readiness and preventing dropouts, the legislature provided \$275/ADA in funding for every high school student.⁶² This provides additional incentives for districts to increase the number of students that transition to high school. To achieve these ends, these funds may be spent in the middle grades.⁶³

TEA surveyed the use of high school allotment funds by districts and received a response of 90 percent by the districts and 72 percent by the campuses.⁶⁴ As a general principle, the state should not increase funding absent an indication of how effectively the funds are utilized. The state must ensure its funding streams justify the reporting resources associated with state monitoring.

Districts largely spent the funds on programs and activities within the spirit of the allotment. But 84 percent of schools used their allotment funds to supplant other funds.⁶⁵ Given these funding choices, it is not surprising that there was no measurable impact on student TAKS performance in reading and mathematics.⁶⁶ The high school allotment can be an effective tool in achieving postsecondary preparation and dropout prevention, but it should only be increased if there are requirements prohibiting districts from using the funds to supplant local funds.

College Credit

HB 1 required students to have access to twelve college credits by the time they graduate.⁶⁷ No avenue exists to determine the degree of compliance. Data suggests that 745 of the 1,238 districts have at least one student participating in a dual-credit program.⁶⁸

Access to college credit only matters if students take advantage of the opportunity. Students and parents often lack the awareness of these opportunities. Sometimes students do not use the senior year productively to meet their future needs. Senior students who have demonstrated their postsecondary readiness should be using their senior year to earn college credit or workforce certifications. Students who are not postsecondary ready should use their senior year to develop the skills necessary to graduate at a postsecondary readiness level. When developing a statewide strategic plan, the state should ensure that structures exist for all students to have access to college credit while in high school and require all students to develop a graduation plan that promotes the productive use of their senior year.

Best Practices Clearinghouse

HB 1 established a best practices clearinghouse as a repository of successful practices.⁶⁹ Through access to successful practices from around the state, the legislature hoped to improve student performance in a cost effective manner.

The current system accepts only practices from exemplary and recognized districts.⁷⁰ This limitation prevents schools that improve student achievement but are not exemplary or recognized from sharing their successful practices. As Texas

includes measures of growth in the accountability system, the state should include successful practices from more than just exemplary or recognized schools.

Principal Leadership

Effective campus leadership is an essential ingredient for academic excellence at a school. HB 1 created the principal leadership program to spread effective leadership practices around the state.⁷¹

The pilot program required participants to use seven days during the school year to attend training away from their campus.⁷² The second year of the program reduced these days away from the campus to two.⁷³ While this is an improvement, it still takes a principal away from the campus in need of improvement. This is especially problematic for principals at academically unacceptable campuses. These principals need quality training, but they also must be at the campus to lead its improvement.

Struggling campuses undergo several stages of intervention from the federal and state level to improve the performance of their students.⁷⁴ These interventions should align and avoid problems like those with the principal leadership program. The state should review state and federal interventions and make the necessary modifications so these programs complement school improvement efforts.

Electronic Transcripts

To facilitate the transition process that occurs when students move between K-12 campuses and districts and transition to higher education, HB 1 enacted an electronic students records exchange system.⁷⁵ TEA developed a system that parallels the PEIMS data system.⁷⁶ While this system has reduced time in data transmission and paperwork, Texas lacks a seamless data system.

As Texas moves toward more rigorous postsecondary expectations, connecting its public and higher education systems becomes paramount. To achieve this goal, public schools must easily transfer records when students move between schools and provide student data links to higher education. These issues require Texas to invest in a robust data system.

LETTERS FROM MEMBERS



The Senate of The State of Texas

Senator Leticia Van de Putte, R. Ph.

District 26

November 24, 2008

The Honorable Florence Shapiro
State Senator
Capitol Building
Room 1E.3
Austin, Texas 78701

Dear Chairwoman Shapiro:

Thank you for your leadership as Chair of the Senate Education Committee and your work on the Senate Committee on Education's Report to the 81st Legislature. I am honored to serve with you as we work to ensure that every student in Texas receives a high quality education and the best opportunities for success in the future. Because this report provides many positive recommendations towards achieving this goal, I will gladly sign it. However, I would like to point out a particular portion of the report that I strongly believe can be improved.

While I agree with the recommendation that we implement the federal textbook portions of the Higher Education Opportunity Act (HEOA) and provide sanctions for non-compliance, I am concerned the federal standards do not go far enough to truly reduce the cost of higher education. For example, while I admire the intent of the HEOA to lower costs of textbooks by making the ISBN numbers available at pre-registration, the fact is that most courses, and professors that will teach them, are not "etched in stone" until much closer to the start of the semester. Therefore, it is reasonable to believe that this provision will not have the effect of lowering textbook costs. In addition, the HEOA will require institutions to submit their course schedules and required materials to only those bookstores with which they have contracted. Without making the lists of textbooks available to more providers at the same time they are made available to their contracted bookstores, we will limit the ability of a student or family to find the lowest prices. In order to truly provide more immediate relief to students, we should implement more than the federal textbook portions of the HEOA.

I thank you in advance for considering my concern and look forward to working together in the 81st legislative session. I am confident that under your leadership we will ensure that every student in Texas receives a high quality education.

Sincerely,

A handwritten signature in black ink that reads "Leticia Van de Putte".

Leticia Van de Putte, R.Ph.

700 N. St. Mary's St., Suite 1725
San Antonio, Texas 78205
210-733-6604
210-733-6605 Fax

E-MAIL: leticia.vandeputte@senate.state.tx.us

P.O. Box 12068
Austin, Texas 78711
512-463-0126
Fax 512-463-2114
1-888-279-0648

Dial 711 For Relay Calls

Committees: Veteran Affairs and Military Installations, *Chair*
Business & Commerce • Education • State Affairs



The Senate of The State of Texas

SENATE COMMITTEES:

CHAIRMAN

Intergovernmental Relations

MEMBER

Education

Finance

Health and Human Services

Subcommittee on Higher Education

Senator Royce West

District 23

President Pro Tempore

2006

DISTRICT OFFICE:

5787 South Hampton Road

Suite 385

Dallas, Texas 75232

214/467-0123

Fax: 214/467-0050

DISTRICT OFFICE:

2612 Main Street, Suite 100

Dallas, Texas 75226

214/741-0123

Fax: 214/749-7830

CAPITOL OFFICE:

P.O. Box 12068

Austin, Texas 78711

512/463-0123

Fax: 512/463-0299

Dial 711 for Relay Calls

November 24, 2008

The Honorable Florence Shapiro
Chairman - Senate Education Committee
Capitol Building, Room 1E.3
Austin, Texas 78701

Dear Chairman Shapiro:

It has indeed been a pleasure to serve with you on the Senate Education Committee. Your leadership, as chairman, has afforded me the opportunity to share my perspective on the myriad of issues that we were charged with addressing, and for that I thank you.

The report provides many positive recommendations that will improve public education in Texas and therefore, I'm happy to sign it. However, I do find it necessary to submit a letter outlining my concerns with certain portions of the report.

First, and most importantly, my most serious criticism of the report is its lack of a true discussion of dropouts. With dropout numbers and percentages reaching epidemic proportions, I'm distressed by the absence of comments and recommendations concerning the monitoring of dropout initiatives found in HB 2237. I have been and continue to be a visible and very vocal advocate for preventing the loss of our most precious resources, our students. The initiatives set forth by HB 2237 were some of our best attempts at stemming the tide of students dropping out of our schools. Unfortunately, the seriousness of the problem did not manifest itself in the report. I question our commitment to providing a public education that successfully moves our students from pre-kindergarten to 16, when we cannot identify and replicate programs and policies that are preventive, proactive and productive.

In addition, I have surmised after reading the interim report that it doesn't address nor mention voucher programs. To my dismay, many of the "dropout recovery programs" implemented to address the dropout epidemic have been made vehicles for vouchers. Let me state emphatically that it was never the intent of the dropout language in HB 2237 being used as a vehicle for vouchers.



The Honorable Florence Shapiro

Page 2

November 28, 2006

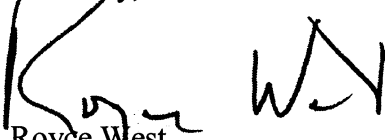
It is most important that we channel public dollars to public institutions, like our public schools. Secondly, during the interim, we heard testimony about the need for more facilities funding for our traditional schools. We were also made aware of the consequences of “fast growth” and “property poor” districts not being able to meet their facilities’ needs through a depleted Instructional Facilities Allotment and Existing Debt Allotment. Therefore, I remain committed to finding a permanent funding source so we can fulfill our obligation to honor the Instructional Facilities Allotment and Existing Debt Allotment.

Thirdly, I can’t help but notice that there really is no recommendation for controlling the costs of textbooks in K-12.

Lastly, with a state whose population is demographically changing, I would ask that the “toolbox” proposed for best practices for English Language Learners (ELL) be used to effectively and efficiently identify and replicate programs that educate our students.

As always, I appreciate your leadership of the Senate Education Committee and your dedication to the children of Texas. I stand poised and position to continue to work with you to make Texas a better place to live and learn.

Sincerely,



Royce West
State Senator
District 23

Chair, Higher Education Subcommittee
Vice Chair, Finance
Legislative Budget Board



Committees
Administration
Education
Health and Human Services

Judith Zaffirini
State Senator, District 21
President Pro Tempore, 1997

November 24, 2008

Senator Florence Shapiro, Chair
Senate Education Committee
Texas Legislature
Austin, Texas 78711

Dear Chair Shapiro:

Thank you for your leadership as Chair of the Senate Education Committee. It is my privilege to serve with you, and I appreciate the opportunity to share my perspective regarding the Interim Committee report. Because the report includes many fine recommendations that could improve the quality of education for Texas students, I am delighted to sign it; however, I submit this letter as a record of my concerns:

First, the proposed toolbox of best practices for English Language Learners (ELL) does not address adequately the crucial shortcomings ELL students experience in our public school programs, especially at the secondary level. We must do more to ensure that ELL students are not only properly identified, instructed, and assessed, but also that campuses, districts, and the state are held accountable for meeting their educational needs.

Second, I believe the state should honor its current obligation and provide a permanent revenue source to fund the Instructional Facilities Allotment and the Existing Debt Allotment to meet the needs of property-poor and fast-growth school districts before supporting facilities funding for charter schools.

Finally, while the report does not address voucher programs specifically, I am troubled that programs previously identified as "dropout recovery programs" have become vehicles for vouchers. The majority of the legislature sent a clear message during the 80th Legislative Session that vouchers were not the answer to improve public schools. We must not abrogate our obligation, as public servants, to invest in public education and address the needs of all students.

Thank you for your dedication to these important issues. Count on my continued leadership to ensure that every Texan has access to a quality education. I look forward to our continued productive relationship during the forthcoming legislative session. May God bless you.

Very truly yours,

A handwritten signature in cursive script that reads "Judith Zaffirini".

Judith Zaffirini, PhD

Capitol Office: P.O. Box 12068 • Austin, Texas 78711 • 512/463-0121 • Fax 512/475-3738 • Dial 711 For Relay Calls

South District Office: P.O. Box 627 • Laredo, Texas 78042-0627 • 956/722-2293 • Fax 956/722-8586

North District Office: 12702 Coeppertwein Road #214 • San Antonio, Texas 78233 • 210/657-0095 • Fax 210/657-0262

ENDNOTES

¹ Kathy Clayton, written testimony to Senate Education Committee on June 23, 2008, <http://www.senate.state.tx.us/75r/Senate/commit/c530/handouts08/0623-Gene-Lenz-and-Kathy-Clayton-1.pdf> (accessed November 23, 2008), 2.

² Mary Jane Williams, written testimony to Senate Education Committee on June 23, 2008, <http://www.senate.state.tx.us/75r/Senate/commit/c530/handouts08/0623-Mary-Jane-Williams.pdf> (accessed November 23, 2008), 2.

³ Jeffrey S. Miller, written testimony to Senate Education Committee on August 18, 2008, <http://www.senate.state.tx.us/75r/Senate/commit/c530/handouts08/0818-Jeffrey-S-Miller.pdf> (accessed November 23, 2008), 2.

⁴ Cynthia Singleton, written testimony to Senate Education Committee on June 23, 2008, <http://www.senate.state.tx.us/75r/Senate/commit/c530/handouts08/0623-Cynthia-Singleton.pdf> (accessed November 23, 2008), 4.

⁵ Miller, 3-4.

⁶ 20 U.S. Code, sec. 1400 (d).

⁷ Texas Administrative Code, title 19, ch. 89, sec. 1055.

⁸ Laura Buckner, written testimony to Senate Education Committee on June 23, 2008, <http://www.senate.state.tx.us/75r/Senate/commit/c530/handouts08/0623-Laura-Buckner.pdf> (accessed November 23, 2008), 2.

⁹ Judith Moening, written testimony to Senate Education Committee on June 23, 2008, <http://www.senate.state.tx.us/75r/Senate/commit/c530/handouts08/0623-Judith-Moening.pdf> (accessed November 23, 2008), 1.

¹⁰ Miller, 6.

¹¹ Senate Bill 1031, sec. 7, 80th Leg., R.S.

¹² Texas Education Code, sec. 29.251-257.

¹³ Workforce Investment Act, Public Law 105-220, title II, sec. 203 (A) and (B).

¹⁴ Texas Higher Education Coordinating Board, *Adult Basic Education: Aligning Adult Basic Education and Postsecondary Education*, <http://www.senate.state.tx.us/75r/Senate/commit/c530/handouts08/1014-Raymund-Paredes.pdf> (accessed November 23, 2008), iii.

¹⁵ Texas Higher Education Coordinating Board, *Adult Basic Education: Aligning Adult Basic Education and Postsecondary Education*, Draft version of August 15, 2008, 48.

¹⁶ *Ibid.*, 48.

¹⁷ Ninety percent of the fastest-growing jobs, 60 percent of all new jobs, and 40 percent of manufacturing jobs will require some form of postsecondary education. State Higher Education Executive Officers, "Second to None in Attainment, Discovery and Innovation: The National Agenda for Higher Education" <http://www.sheeo.org/federal/SHEEO%20Presidential%20White%20Paper%2008%20v%202.pdf>, (accessed November 23, 2008), 1.

¹⁸ Texas Higher Education Coordinating Board, iii.

¹⁹ House Bill 1, sec. 50, III-57, 80th Leg., R.S.

²⁰ Ray Glynn, testimony to Senate Education Committee on October 14, 2008, audio available at 6:50, <http://www.senate.state.tx.us/avarchives/ramav.php?ram=00003726> (accessed November 23, 2008).

²¹ Georgina K. González, written testimony to Senate Education Committee on June 23, 2008, <http://www.senate.state.tx.us/75r/Senate/commit/c530/handouts08/0623-Georgina-Gonzalez.pdf> (accessed November 23, 2008), 2.

²² *Ibid.*, 2.

²³ Texas Education Code, sec. 29.052.

²⁴ Texas Administrative Code, title 19, ch. 89, sec. 1205 (a).

²⁵ Texas Administrative Code, title 19, ch. 89, sec. 1205 (d).

²⁶ Elsa Cárdenas-Hagan, testimony to Senate Education Committee on June 23, 2008, audio available at 6:29:59, <http://www.senate.state.tx.us/avarchives/ramav.php?ram=00003664> (accessed November 18, 2008).

²⁷ For examples of these programs, see testimony from Richard Butler, Patricia G. (Pat) Bubb, Tom Hurley, or Martha Thompson from June 23, 2008, <http://www.senate.state.tx.us/avarchives/ramav.php?ram=00003644>

(accessed November 18, 2008); See also Bill Landis, Terri Patterson, or Jim Walker from October 20, 2008, <http://www.senate.state.tx.us/avarchives/ramav.php?ram=00003730> (accessed November 18, 2008).

²⁸ Tom Pauken, written testimony to Senate Education Committee on May 19, 2008, <http://www.senate.state.tx.us/75r/Senate/commit/c530/handouts08/0519-Tom-Pauken.pdf> (accessed November 23, 2008) 1.

²⁹ "In our community, for example, we have a major employer of choice who will lose 50 percent of their 1,700 people over the next five to eight years due to retirements." John Stroud, written testimony to Senate Education Committee on May 19, 2008, <http://www.senate.state.tx.us/75r/Senate/commit/c530/handouts08/0519-John-Stroud.pdf> (accessed November 18, 2008), 2.

³⁰ Kim Stevenson, written testimony to Senate Education Committee on May 19, 2008, <http://www.senate.state.tx.us/75r/Senate/commit/c530/handouts08/0519-Kim-Stevenson.pdf> (accessed November 23, 2008), 1.

³¹ Sue Wheeler, written testimony to Senate Education Committee on May 19, 2008, <http://www.senate.state.tx.us/75r/Senate/commit/c530/handouts08/0519-Sue-Wheeler.pdf> (accessed November 23, 2008).

³² Pauken, 2.

³³ Texas Education Code, sec. 28.008 (f).

³⁴ Senate Bill 1031, sec. 10, 80th Leg., R.S.; Texas Education Code, sec. 39.025 (f).

³⁵ Texas Education Agency, "TEA Working Document - TEKS Processes/Instructional Materials/College Readiness Standards (CRS) Timelines" (Updated September 19,2008) <http://www.tea.state.tx.us/teks/TEKSTimeline91908.pdf> (accessed November 23, 2008).

³⁶ Anita Givens, testimony to the Senate Education Committee on October 20, 2008, audio available at 1:28:00, <http://www.senate.state.tx.us/avarchives/ramav.php?ram=00003730> (accessed on November 23, 2008).

³⁷ State Board of Education, "Approval to Proceed with a Midcycle Review and Adoption," http://www.tea.state.tx.us/sboe/schedule/2008/july/full_board/items/7_midcycle_i.html (accessed on November 23, 2008).

³⁸ Ibid.

³⁹ Texas Education Agency, Division of Instructional Materials and Educational Technology, "Proclamations," <http://www.tea.state.tx.us/textbooks/proclamations/index.html> (accessed November 23, 2008).

⁴⁰ Public Law 110-315.

⁴¹ Ibid., sec 112.

⁴² Ibid., sec 112 (d).

⁴³ Ibid., sec 112 (e).

⁴⁴ House Bill 1, sec. 5.01, 79th Leg., Third Called Special Session.

⁴⁵ See page 16 of this report.

⁴⁶ Senate Bill 1031, sec. 9, 80th Leg., R.S.

⁴⁷ House Bill 2237, 80th Leg., R.S.

⁴⁸ Texas Education Agency, "Pocket Edition 2006-07."

⁴⁹ House Bill 2237, sec. 14.

⁵⁰ See http://www.tea.state.tx.us/ed_init/thscsic/StrategicPlan_ApprovedFINAL.pdf.

⁵¹ House Bill 2237, sec. 3.

⁵² House Bill 1, sec. 5.09, 79th Leg., Third Called Special Session.

⁵³ House Bill 2237, sec. 4.

⁵⁴ See House Bill 1, sec. 5.01, 79th Leg., Third Called Special Session; Senate Bill 1031, 80th Leg., R.S.; House Bill 1, sec. 5.02.

⁵⁵ See <http://www.theccb.state.tx.us/CollegeReadiness/verticalteams.cfm> (accessed November 23, 2008).

⁵⁶ See <http://www.collegereadytexas.org/index.html> (accessed November 23, 2008).

⁵⁷ Texas Higher Education Coordinating Board, *Texas College Readiness Standards*, <http://www.theccb.state.tx.us/collegereadiness/CRS.pdf> (accessed November 23, 2008), 3.

⁵⁸ Achieve, Inc., *Achieve Review of TX ELAR CRS Standards*, March 14, 2008 and *Texas Achieve Phase I Math Final*, July 10, 2008.

⁵⁹ Texas Education Code, sec. 28.008 (d); House Bill 1, sec. 5.01, 79th Leg., Third Called Special Session.

⁶⁰ See Select Committee on Public School Accountability at <http://www.senate.state.tx.us/75r/senate/commit/c835/c835.htm> (accessed November 23, 2008).

⁶¹ House Bill 1, Article 5, 79th Leg., Third Called Special Session.

⁶² Texas Education Code, sec. 42.2516 (b) (3); House Bill 1, sec. 1.04, 79th Leg., Third Called Special Session.

⁶³ Texas Education Code 39.114 (b); Section 5.06, House Bill 1, sec. 5.06, 79th Leg., Third Called Special Session.

⁶⁴ Texas Education Agency, *Report on High School Allotment*, http://www.tea.state.tx.us/opge/progeval/HighSchoolCollege/HSA_09-08.pdf (accessed November 23, 2008), 4.

⁶⁵ *Ibid.*, vii.

⁶⁶ *Ibid.*, viii.

⁶⁷ Texas Education Code, sec. 28.009; House Bill 1, sec. 5.01, 79th Leg., Third Called Special Session.

⁶⁸ Sharon Jackson, written testimony to Senate Education Committee on February 27, 2008, <http://www.senate.state.tx.us/75r/senate/commit/c530/handouts08/02-27-HB1-Sharon-Jackson.pdf> (accessed November 24, 2008).

⁶⁹ House Bill 1, sec. 2.02, 79th Leg., Third Called Special Session.

⁷⁰ Texas Education Code, sec. 7.009 (b).

⁷¹ House Bill 1, sec. 4.01, 79th Leg., Third Called Special Session.

⁷² R. Jerel Booker, written testimony to Senate Education Committee on February 27, 2008, <http://www.senate.state.tx.us/75r/senate/commit/c530/handouts08/02-27-TxPEP.pdf> (accessed November 23, 2008), 2.

⁷³ *Ibid.*

⁷⁴ See http://www.tea.state.tx.us/pmi/accmon/2009/resources/TAT_AU_Intervention_Matrix.pdf (accessed November 23, 2008) and http://www.tea.state.tx.us/nclb/titleia/sip/2008-09/2008-09_sipB.html (accessed November 23, 2008).

⁷⁵ House Bill 1, sec. 3.01, 79th Leg., Third Called Special Session.

⁷⁶ John Cox, written testimony to Senate Education Committee on February 27, 2008, http://www.senate.state.tx.us/75r/senate/commit/c530/handouts08/02-27-Overview_of_TREx.pdf (accessed on November 23, 2008).