

TASP

86th Legislative Session Update

Marty De Leon, Legislative Liaison
Cassandra Hulsey, LSSP, NCSP--GPR Chair

When the Session Started

- **School Finance, Property Tax Relief, and School Safety** top priorities
- 86th Texas Legislature began with a **\$9B** surplus from the last biennium.
- Rep. Dennis Bonnen (R-Angleton) elected Speaker;
- More Democrats in the Legislature this time (**83-Rs** and **67-Ds**).
- Gov. Abbott declared the state must invest more in public education, and Speaker Bonnen stocked the members' lounge with Styrofoam cups that read: "**School Finance Reform, The Time Is Now.**"

TASP PLATFORMS

#1 TASP supports legislation that maintains the independent practice of school psychology and upholds best practices in the delivery of school psychological services.

#2 TASP supports legislation that equips school districts with access to appropriate school-based mental and behavioral health services to improve school climate and student outcomes.

- TASP supports increased access to mental health for students, families, and school personnel.
- TASP believes students, families, and school personnel should have access to universal screening behavioral/mental health screenings that examine complete mental health.
- TASP believes students, families and school personnel would benefit from the adoption of specific and comprehensive Social-Emotional Learning (SEL) benchmarks to be added to the Texas Essential Knowledge and Skills (TEKS) and mandate districts to adopt a SEL curriculum.

TASP PLATFORMS cont.

#3 TASP supports legislation that promotes best practices for safe and supportive schools.

- TASP supports increasing the psychological and physical safety of students in school, while balancing practices that may be considered “hardening” of schools (e.g., metal detectors, increased arming of school personnel, live shooter drills).
- TASP supports the inclusion of school psychologists in school safety legislation and ensuring evidence-based school safety resources/practices.
- TASP supports codifying the requirements for evidence-based school crisis/threat teams and procedures related to crisis training, mental health first aid training, and crisis response.
- TASP does not support the arming teachers or administrators and believes that only those appropriately trained law enforcement professionals should be allowed to be armed on school campuses.
- TASP supports additional legislation and funding for school to promote anti-bullying policies and practices.
- TASP supports the elimination of corporal punishment as a disciplinary measure in school settings.

Major Legislation Passed

Budget, Sunset, School Safety, School Finance, Property Tax Relief

Budget

- **HB 1** - General Appropriations Bill
- **\$250.7B** -Total all state funds budget (a 16% increase over the last biennium)
- **\$6.5B** -Total new dollars for public education with **\$2B** for teacher salaries/benefits
- **\$5.1B** -Total funding for property tax relief

*Numbers based on the Summary of
Conference Committee Report for HB 1 from
LBB*

Article III	
Appropriation	Amount
Enrollment	\$ 2.4B
High Quality Pre-K	\$ 1.7B
Instructional Materials	\$ 1.1B
STAAR	\$ 166M
School Safety	\$ 100M
School Hardening	\$ 100M
TX Advanced Placement	\$ 18.5M
OnRamps	\$ 4M
Blended Learning PD	\$ 2M

School Finance



- **HB 3** (*Huberty, et al.*) – Relating to public school finance and public education; creating a criminal offense; authorizing the imposition of a fee.
- *Sent to the Governor*

- Overall cost for HB 3: **\$11.5 B**
 - **\$6.5B** for public schools
 - **\$5B** for property tax relief
- Reduces recapture by **\$3.6B** over the biennium
- Basic Allotment increased from **\$5,040** to **\$6,160**
- Teacher Compensation & Incentives
- New Weights & Allotments: Early Education, Dual Language, School Safety
- Repeals: H.S. Allotment and GT Allotment

Note: School districts with property values growing 2.5% or more would see tax rates automatically lowered to keep revenue growth in line. Analysts estimate HB 3 will lower rates by 8 cents per \$100 valuation in 2020 and 13 cents in 2021. This would mean a savings of \$200 for a \$250,000 home in 2020, and \$325 in 2021.

HB 3: Important Provisions

- **Increases Salaries** by requiring 30% of revenue gain for compensation increases for full-time employees (other than administrators); of this amount,
 - **75%** must be used for full-time teachers, counselors, nurses and librarians with priority for those with 5 years or more experience;
 - **25%** may be used for other full-time employees at the district's discretion
- **Minimum Salary Schedule** is increased due to BA increase
- Requires **charters to pay TRS** contributions for salaries above statutory minimum
- Creates **Reading Standards for grades K-3**; ISDs must use a phonics curriculum using systematic direct instruction; requires each teacher and principal at a K-3 campus to attend a teacher literacy achievement academy by 2021-22 school year

HB 3: New Allotments

- **Dyslexia Allotment** - 0.1; special education students with dyslexia would be eligible for both
- **Early Education Allotment** - 0.1 for each educationally disadvantaged or ELL student in grades K-3
- **CCMR** - for students graduating “ready,” district receives:
 - \$5,000 for students who are disadvantaged,
 - \$3,000 for students who are not disadvantaged
 - \$2,000 for students in special education
- **Dropout Recovery School and Residential Placement Facility Allotment** - \$275 per student

HB 3: Increased Weights

- **Compensatory Education Allotment –**
 - New weights based on 5-Tier index from census blocks ranging from 0.225 through 0.275
- **Bilingual/Dual Language Allotment –**
 - 0.10 for Bilingual Ed students remained the same
 - 0.15 for ELL students in dual language programs
 - 0.05 weight for non-ELL students in dual language
- **Special Education Allotment –**
 - Increases the mainstream weight from 1.1 to 1.15
- **New Instructional Facilities Allotment (NIFA) –**
 - Increased from \$25M per year to \$100M per year

HB 3: Misc.

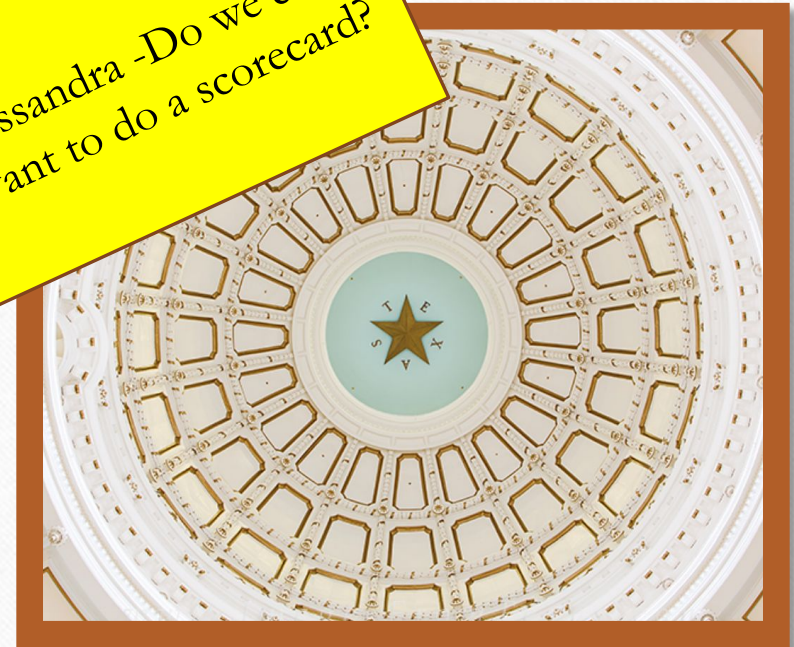
- **CTE Weight** –
 - Extended to grades 7 and 8
 - Extended to Tech Apps courses
- **Transportation Allotment** – \$1 per mile per eligible student
- **(Optional) Teacher Incentive Allotment** – For teachers distinguished as:
 - Recognized: \$3,000-\$9,000;
 - Exemplary: \$6,000-\$18,000; and
 - Master: \$12,000-\$32,000 w/increased funding for teachers at rural districts/high-need campuses
- **Mentor Program Allotment** –
 - For ISDs with mentoring programs for teachers with less than 2 yrs. of experience; amount TBD

Issue	Bill	Goals Achieved
TASP Platfom #1 – Maintain independent practice of school psychology	HB 1501	✓?
TASP Platfom #2 – Equip ISDs with mental/ behavioral health services	SB 11	✓
TASP Platfom #3 – Support safe and supportive schools	SB 11	✓
TASP Platfom #1 – Support psychology		✗
TASP Platfom #1 – Support psychology	HB 1	✓

TASP 86th

Legislative Scorecard

Cassandra -Do we even want to do a scorecard?



Major Legislation Passed

Assessments, School hardening, TRS, Governance,

HB 1501 -Texas Behavioral Health Executive Council (TBHEC)

Important Dates for Transition

- 6/10/19 - HB 1501 Signed by the Governor
- 9/1/19 - New TBHEC established (“The Council”)
- 9/1/19 - Gov. appointed Gloria Canseco as Chair
- 10/15/19 -1st Council meeting
- 12/1/19 - Council members to be appointed
- 4/1/20 - Executive director to be hired
- 7/31/20 - Rules to be outlined
- 9/1/20 - All 4 boards consolidated officially



4 Mental Health Groups, 1 Council:

- ✓ Social Workers
- ✓ Counselors
- ✓ Marriage & Family Therapists
- ✓ **Psychologists**



Behavioral Health Executive Council (BHEC)

- *Final approval for all new rules or rule changes
- *Receives applications/issues licenses
- *Governs all licensing-related tasks
- *Handles complaints
- *9 members (4 professional, 4 public, 1 public chair)

Social
Workers

Counselors

Marriage
& Family
Therapists

Psychology

- *Propose rules for individual profession
- *Develop license/professional standards(Rule changes must go through BHEC for approval)
- * Determine schedule of sanctions for rule violations
- *Retain original board make-up

HB 1501 –TBHEC cont.

Council Membership:

- Council will have **9 seats** –
- Each group gets 1 seat; 4 public member seats; 1 public chair
- **Psychology seat must go to LP**

Terms:

- Council members serve 6-yr terms
- Others will serve 2-yr terms

Council Meetings:

- Two regular meetings each year

Rules

- Council will consider rules by the applicable board only; will have final adoption

Council

1. Chair
2. Psychology
3. Social Workers
4. Counselors
5. Marriage/Family Therapists
6. Public
7. Public
8. Public
9. Public

HB 1501 –TBHEC cont.

Other provisions:

- Council must adopt the Psychology Interjurisdictional Compact (regulate the practice of telepsychology across state boundaries);
- FY 2020 Council does not have to generate \$ to cover costs;
- Fingerprint background checks for all license applicants;
- Check a national database for disciplinary actions in other states before issuing a license or renewal to the individual;
- Develop a system to monitor a license holder's compliance with applicable laws and council rules; and
- Release exam results and issue certain license renewals



HB 1501 –TBHEC cont.

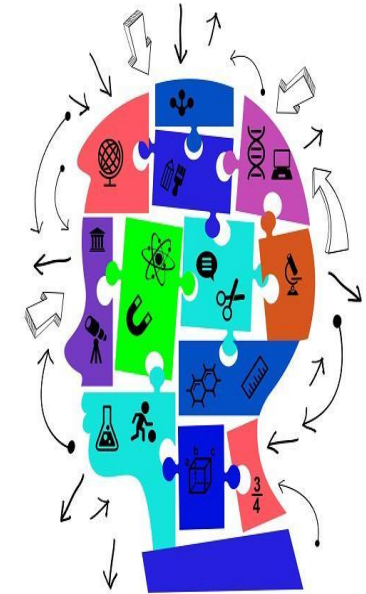
Changes in licensing requirements:

- Applicants would apply to the BHEC for a license to practice psychology
- Remove separate provisional license for psychologist candidates during post-doctoral internship (doctoral supervision hours count toward post-doc supervision requirements).
- Oral examination for psychology applicants is eliminated.



SB 11 - School Safety

- Require ISDs to establish threat assessment teams to incorporate best practices for school safety and school climate;
- SBOE must require each district to incorporate instruction in the standards of healthy online behavior into the district's curriculum, including information regarding the potential criminal consequences of cyberbullying;
- Revise requirements for school multi-hazard emergency operations plans;
- Include substitute teachers among educators to receive safety training;



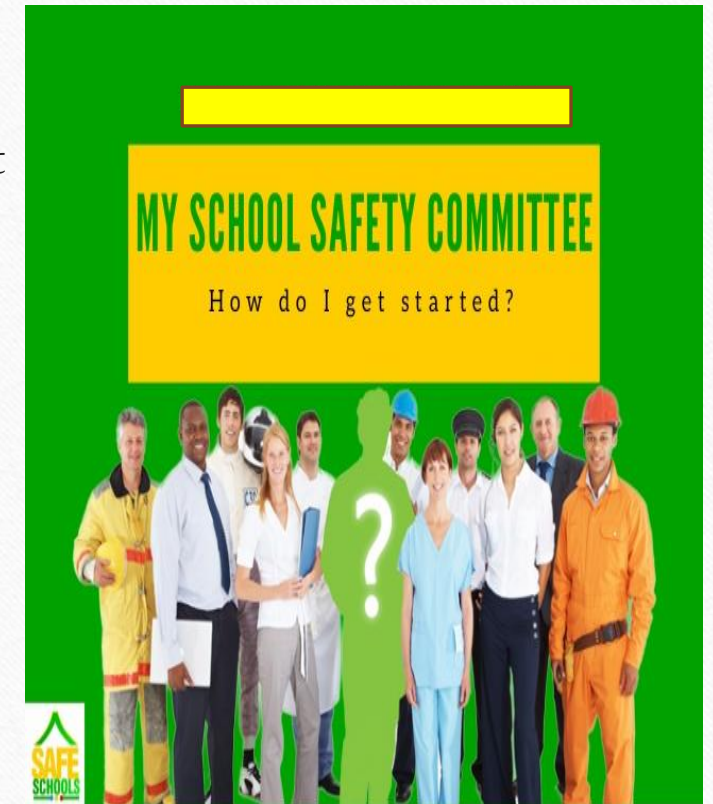
SB 11 - School Safety

- Require ISDs to integrate trauma-informed practices in the school environment;
- Require the education commissioner to adopt standards for safe and secure school facilities; and
- Establish a school safety allotment for districts to use in improving security and providing mental health personnel.



SB 11 - School Safety cont.

- School safety and security committee. Need a representative from:
 - ✓ an office of emergency management in the region where the district was located,
 - ✓ local police department or sheriff's office,
 - ✓ the district's police department, if applicable,
 - ✓ the school board president,
 - ✓ a school board of trustee,
 - ✓ the district's superintendent,
 - ✓ **one or more designees of the district's superintendent, one of whom would be classroom teacher in the district,** and
 - ✓ two parents or guardians of students enrolled in the district.



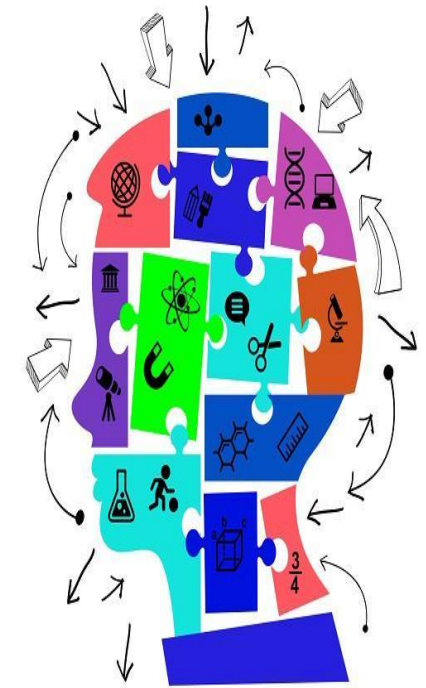
SB 11 - School Safety cont.

- Teams would be required to:
 - ☐ conduct a threat assessment that included assessing and reporting individuals who made threats of violence or exhibited harmful, threatening, or violent behavior;
 - ☐ gather and analyze data to determine the level of risk and appropriate intervention including referring a student for mental health assessment and implementing an escalation procedure if appropriate;
 - ☐ provide guidance to students and school employees on recognizing harmful, threatening, or violent behavior that could pose a threat to the community, school, or individual; and
 - ☐ support the district in the implementation of the district's multi-hazard emergency operations plan.



SB 11 - School Safety cont.

- Plan review and verification
- Public hearing
- Security audit
- School safety and security committee
- Notification of bomb or terroristic threat
- Evacuations and school drills
- Threat assessment



SB 11 - School Safety cont.

- Rules. TEA, in coordination with TSSC, would have to adopt rules to establish a safe and supportive school program. The rules would incorporate research-based best practices for school safety including practices for:
 - providing for physical and psychological safety;
 - a multiphase and multi-hazard approach to prevention, mitigation, preparedness, response, and recovery in a crisis situation;
 - a systemic and coordinated multi-tiered support system that addresses school climate, the social and emotional domain and mental health; and
 - collaboration to assess risks and threats in schools and provide appropriate interventions, including rules for the establishment and operation of teams.



Other TASP-Initiated bills

HCR 59 (*Guillen*) - Designating the second week of November as School Psychologist Appreciation Week for a 10-year period beginning in 2019

- Governor signed the bill on May 24

HB 4014 (*Guillen*) - Relating to the licensing and regulation of school psychologists

- Did not receive a public hearing
- Only one House sponsor; no Senate companion filed

HB 3220 (*Allison*) - Relating to repayment of certain mental health professional education loans.

- Scheduled for a public hearing on April 17
- House Public Education Committee voted 12-0
- Died in House Calendars Committee
- Only one House sponsor; no Senate companion filed

School Safety - Gun Legislation

HB 734 – Allow Supt/trustees to carry a concealed or holstered handguns at a school board meeting.

HB 1106 – Allow an ISD to appoint one or more school marshals for each campus.

HB 1143 – ISD may not prohibit how a gun is stored in a parked car

✓ **HB 1387** – Allow an ISD to appoint one or more school marshals for each campus. **PASSED**

HB 1959 – ISD may not prohibit how a gun is stored in a parked car at a private school.

SB 243 - Removes the state mandate that all school marshals shall keep their firearms locked in a safe.

SB 244 - Allow an ISD to appoint one or more school marshals for each campus.

SB 406 - Removes the state mandate that all school marshals shall keep their firearms locked in a safe.

SB 477 - A renewed school marshal license expires on August 31 every two years.

School Safety – Mental Health Legislation

HB 198 – mental health services and education to students at school-based health centers.

HB 204 – mental health in the required curriculum

HB 1467 – mental health professional to school police ratio for public schools.

HB 3825 – mental health training for public school educators.

HB 3888 – school district's plan for parental involvement concerning mental health.

HB 1312 - On-campus mental health services by a school district and reimbursement under Medicaid

HB 1468 - Task force to examine the effectiveness of school mental health programs

HB 4414 - Identification and development of mental health resources for students.

HB 906 - create task force to study public school based mental health services.
PASSED

Other TASP-Initiated bills

HB 906 (*Thompsson*) -

More School Safety – Hardening Campuses

SB 500 (*Nelson*) – Makes an appropriation of **\$100M** for school districts to provide safety upgrades such as:

- ☐ exterior doors with push bars
- ☐ metal detectors at school entrances
- ☐ erected vehicle barriers
- ☐ door-locking systems
- ☐ security systems that monitor and record school entrances, exits, and hallways
- ☐ campus-wide active shooter alarm systems that are separate from fire alarms
- ☐ bullet-resistant glass or film for school entrances;
- ☐ two-way radio systems
- ☐ perimeter security fencing



TRS

SB 12 (*Huffman, et al.*) – Relating to the contributions to and benefits under the Teacher Retirement System of Texas

- Increases the rate of TRS contributions beginning in 2022 from:
 - 7.7% to 8.25% for each member;
 - 1.5% to 2% for ISDs; and
 - 6.8% to 8.25% for the State's share beginning between 2020 and 2024
- Provides retired teachers a one-time 13th check of \$2,000



Misc.

SB 1476 (*Bettencourt*) – Relating to the requirement to report certain educator misconduct to the SBEC.

- Removes Scarlett letter for departing employees because Supt was required to report to SBEC whether the employee was ever investigated (even if allegations proved false).

HB 1525 (*Burrows*) – Relating to the collection of sales and use taxes applicable to sales involving marketplace providers.

- Requires Amazon/ Ebay-type companies to remit sales taxes which will generate about **\$300 million**/ year for the state.



Legislation Graveyard – Bills Did Not Pass

HJR 3 – Constitutional amendment that would have increased the sales tax by 1% to use all revenue to lower property taxes

HB 1754 – School safety allotment \$50/student

SB 29 – Prohibits cities, counties from lobbying

HB 43 – Charters cannot discriminate students based on discipline history

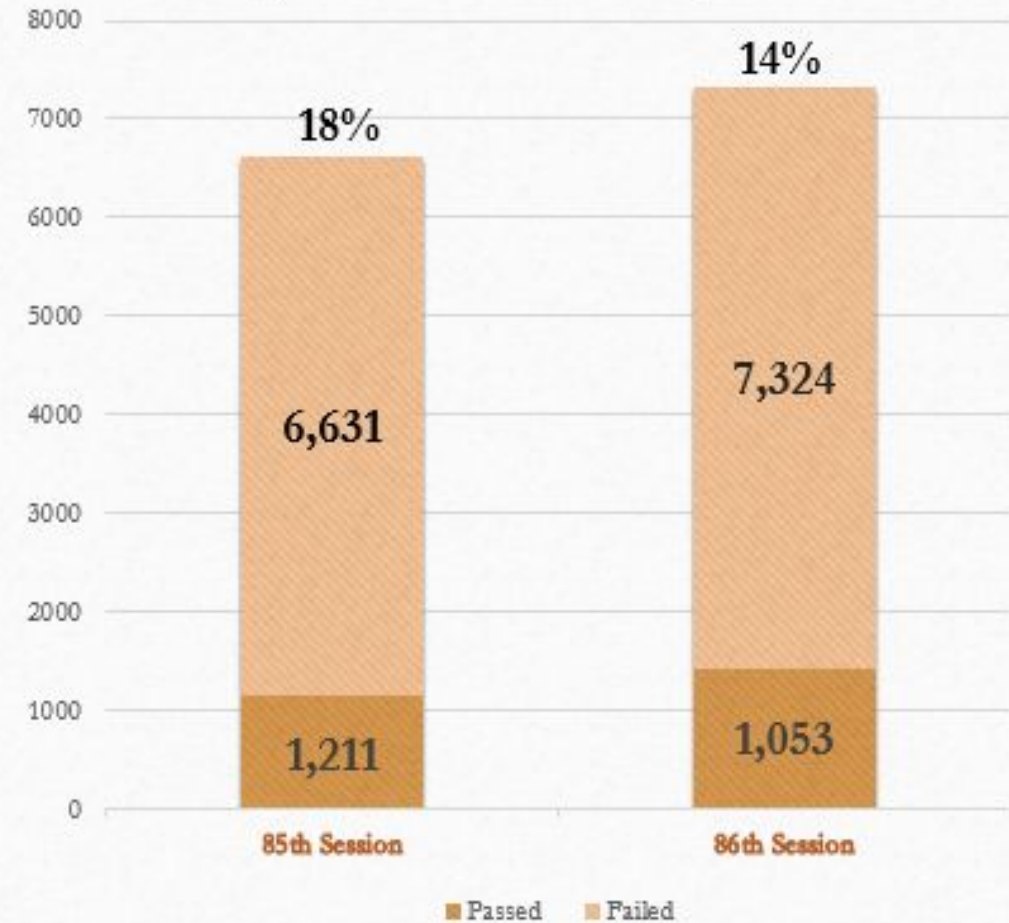


86th Session Statistics



Of the **7,324** bills filed this session, only **1,053** passed (**14%**)

Legislative Session Comparison



Looking Ahead

- Interim Charges
- Public hearings
- School safety committees
- Consider reaching out to your state lawmaker – Make it a scavenger hunt

