

Senate Education Committee
February 10, 2016

The Senate Education Committee met on February 10, 2016, in McAllen to discuss the following interim charges:

- Monitor the implementation of legislation addressed by the Senate Committee on Education and make recommendations for any legislation needed to improve, enhance, and/or complete implementation. Specifically, monitor the following:
 - Program to require the placement and use of video cameras in self-contained classrooms or other settings providing special education services to students; and
 - Legislation to address training support for counselors, and advising courses for middle school students.

- Local briefing on English Language Learning

Chairman Larry Taylor invited Monica Martinez from the Texas Education Agency and Harrison Keller from The University of Texas at Austin to discuss HB 18, the bill that passed during the 84th Session of the Texas Legislature that created a program to support counselors.

Ms. Martinez stated that HB 18 included the requirement to create middle school courses that focus on career explorations. Two courses -- Exploring Careers and Career Portals-- already exist. An Investing Careers course and a College and Career Readiness course will be made available in the 2017-2018 school year. The Agency will be reviewing instructional materials for these courses during the summer. She also discussed the development of CTE courses using federal Perkins funds that will support HB 5. There was some discussion on the timeframe that it takes TEA to develop courses and if that was in line with other states (i.e., the senators were implying that the three to four year timeframe to develop a course by the Agency was too long.)

Ms. Martinez said that districts need to offer a program this year that allows middle school students to explore the endorsements created in HB 5. School districts do not need to offer separate courses; the law allows districts to imbed them in other courses. To answer a question from Senator West, Ms. Martinez said that the Agency doesn't have a way to monitor if schools are implementing this component of the law. Senator West pressed that if districts are not educating their students on their options under HB 5, then these students would be at a disadvantage compared to others.

Ms. Martinez also stated that the Agency is revising the rules for the High Performance School Consortium that will allow other districts to participate. It is expected to be available this spring for districts to apply.

Senator Rodriguez asked how the implementation of HB 5 was going. Ms. Martinez said the Agency was able to get some data and found that more districts are able to and are offering the endorsements than anticipated. Most districts are offering three or more endorsements. Rural and smaller districts are collaborating to offer a wider variety of courses. Ms. Martinez stated that the Agency was getting “positive feedback” from districts on the implementation of HB 5.

Dr. Harrison Keller introduced himself and said he was the “principal investigator” for the portion of HB 5 that The University of Texas at Austin was charged to implement. The university was charged in HB 18 to create a counselor initiative, which has three strands: (1) professional development for counselors; (2) assist with course development for middle school students; and (3) research and analytics that focuses on providing counselors with the technical knowledge to better support students as they choose their workforce and college paths that better align with the state’s workforce needs.

Dr. Keller then discussed the skill gaps in the state from data American Community Survey. He said that there is a shortage of high school graduates, Baccalaureate graduates and “an acute shortage” of graduates with Associate’s degrees. They’ve been doing a “lot of listening” while developing this initiative at the local, state and national levels. They’ve also been working with other higher education institutions. To date, they’ve partnered with UTSA, Rice, University of Houston, Houston Community College, Austin Community College, Texas Tech, El Paso Community College and expect to add more.

The feedback that UT Austin has received from counselors is that they are in need of high-quality training, particularly as it relates to the changes created in HB 5. Other feedback they received is that counselors and administrators need to better understand the pathways for students to enter into post-secondary and career opportunities that extend beyond HB 5 endorsements.

Dr. Keller said that they want to create ways to “credential” the training. (He didn’t elaborate what that meant beyond creating ways to track if counselors complete the training and see if the initiative is meeting its goals.)

Chairman Taylor asked about the how the funds were being used. He was specifically interested in the \$11 million for equipment. Dr. Keller said that those funds were mostly for software development. The system they are creating does not exist. Once it is developed, it will be able to track competencies, provide resources, and create networking opportunities for those that use it.

Chairman Taylor asked about the stipends for counselors. Dr. Keller said they are proposing that the stipends be given out when counselors complete competencies as opposed to just attending a training. Chairman Taylor said that he is “picking up” from the committee members concerns that the initiative sounds to be still focused on “theoreticals” and the committee members want

something concrete completed. Dr. Kellner believed that they could meet the timelines of the initiative. Senator Lucio asked if UT Austin has attempted to contact every school district to let them know there are resources available. Dr. Keller said not yet. They will be setting up a portal soon with resources available.

Senator Sylvia Garcia asked about their outreach efforts and if they contacted a broad representation of school districts. She also said they've talked to 200 counselors and there are approximately 8,000 counselors in the state (later in the hearing, they clarified that according to PEIMS there were 11,637 FTEs counselors across the state in 2014-2015). She was concerned that their resources could be "collecting dust" if counselors do not know if they are available. She also asked what they are doing to provide resources for counselors who are advising special needs of students – be it language or special education. Dr. Keller said they are doing work on identifying resources for special populations for those students and other areas like students wanting to go into the military or those that need to meet NCAA requirements.

Dr. Keller said there will be certificates that counselors can attain around particular competencies. He said that the state averages 465 students to one counselor. Some areas of the state have no certified counselors and other schools have lower ratios. (The American School Counseling Association recommends a 250:1 ratio.)

Senator Lois Kolkhorst expressed concerns that UT Austin needs to "get [the initiative] out there" and get out of the theory. She said they received a lot of money; however, currently, it's not reaching counselors and needs to get to school districts so it can reach the children. Senator Paul Bettencourt said the initiative has left out employers and they need to be involved in the process to help set up the modules. He said UT could study this to death but what the state needs are employees that will be hired by employers.

Senator Royce West said that counselors and administrators feel "ill-equipped" to counsel students on their career pathways even though HB 5 passed in 2013.

Jan Friese of the Texas Counseling Association testified next. She stated that data say access to a high-quality counselor is strongly tied to students going on to postsecondary education. She stated that there are four components of a comprehensive and effective counselor program: (1) classroom guidance (e.g., counselor will work with teachers to integrate career/college info with course content); (2) individual planning with students and parents; (3) responsive services to address emergencies; and (4) systems support (e.g., counselors work with teachers and businesses, etc., to develop additional supports for students).

Ms. Friese stated that additional training for counselors and administrators is needed. However, administrators need to support the counseling program in order for it to be successful and also the state needs to collect data on counseling activities in schools. She said it was a "crime" if a school does not have a counselor on staff. She also said she was hearing that it was easier for counselors to convince students to take advanced courses when the 4x4 (four math and four science courses) was required and those conversations are harder now.

Senate Bill 507: Cameras in Self-Contained Special Education Classrooms

Monica Martinez, TEA, stayed to discuss SB 507. She briefly described the timeline for implementation of this bill. It is expected to be effect for the 2016-2017 school year and it is a “very complicated” bill. The Agency is working with stakeholders and working on proposed rules.

Janna Lilly, who represented TCASE and TASB, testified next. She said this is a very serious issue and stressed how important it is for children to be safe in our schools. She said that her testimony is to help members understand some of the implementation issues schools are facing. Specifically, she said that school districts need guidance in the form of rules from the Agency. At a stakeholder’s meeting the Agency held, staff said they will not answer the question if one request for a camera triggers the need for a district to install cameras in all of their self-contained classrooms. Neither will the Agency specify the timeline of how long a district has to install a camera once they receive a parental request for a camera. The Agency also said they will not weigh in on whether the video constitutes an educational record. If it does, then it triggers some archiving requirements that may go up to five to seven years and who can have access to the video.

Ms. Lilly then discussed the costs districts will face in implementing this bill. As districts have started to get some figures on installing the cameras, it is looking like districts throughout the state will be spending about \$30 million to install cameras. She asked if the Legislature could provide a supplemental appropriations to cover the installation costs. She acknowledged there will be additional costs in the long-run for districts.

There was a long conversation among the senators on the urgency of getting this bill implemented and potentially discussing funding next session. Senator Van Taylor said his districts are very anxious about this bill and asked TEA when the rules should be expected to be published. Ms. Martinez expected the rules should be published “in a few weeks.” Senator Van Taylor said TEA needs to be specific in the rules on what a district can and cannot do; the Agency “should not put the ambiguity on school districts.”

Steven Aleman of Disability Rights Texas thanked the senators for helping increase the safety of the state’s most vulnerable students. He believed that only 60,000 students could be impacted by this bill, which is a small percentage of the state’s total student population. Mr. Aleman thought that cameras are commonly used in schools so districts are not starting from “ground zero.” He also stressed that the rules need to be clearly stated and expedited so districts can begin to implement the bill.

Local Briefing on English Language Learning

Roy Johnson, Intercultural Development Research Association, testified that English Language Learners (ELL) students are one of the fastest growing student groups in the state. In 2014-2015, there were approximately 949,000 ELL students in the state, according to Mr. Johnson. He said that his organization is recommending that the state increase the bilingual weight to 0.5 from 0.1.

There was a long discussion on where Mr. Johnson came up with the 0.5 weight, did he have peer-reviewed research to back it up, etc. Senator Van Taylor asked how the extra funds would be used. Mr. Johnson gave a general answer that these funds would be used for technology, staff development and other supports.

Senator Kolkhorst talked about the “scale issue” (i.e., the more ELL students, the more funds are given to a district) and it’s not just about the weight. She stated that the Legislature will be going into a school finance session and the conversation needed to also discuss how any extra funds would be used in schools. Senator Rodriguez talked about the achievement gaps between ELL and non-ELL students as an area that needs to be addressed.

Chairman Taylor said that they needed to rethink the whole school finance system (“remove the Band-Aids”).

David Bowles from Donna ISD testified next. He said that great leaders in South Texas lead the way in non-discriminatory practices in schools. He said that dual-language programs are the most effective programs. Most students can master a new language in five to seven years. He said that once a student gets to middle school and still has not exited a bilingual program, it is much harder for him or her to reach mastery in English. He recommended that the state provide more guidance to districts to provide dual-language and late-exit programs over other types of bilingual programs.

Mr. Bowles stated that increasing the training to staff that educate long-term ELL students could have a substantial impact and the increased funds could be used to support this. He also said that districts should be required to use bilingual funds on bilingual education (i.e., he thinks the indirect costs in special populations should stay within the bilingual program). He also thinks having ELL students exempt for three years in the accountability system should be reduced to one year.

Jesse Romero from the Texas Association for Bilingual Education was the last one to testify. He said ninety percent of students in bilingual education are U.S. citizens but do not speak English as their first language. He said that dual language programs are the most effective for ELL students. He said that TEA did a study that they did not publish for political reasons and it found that the longer students are educated in their native languages, the better they do academically. Mr. Romero stated that his organization is advocating for 0.2 to 0.25 bilingual weight.