

## SENATE:

**Senate Select Committee on Redistricting** – On October 19<sup>th</sup>, the Senate Select Committee on Redistricting announced that it is conducting necessary functions through an information gathering process under Section 301.014 of the Texas Government Code. The committee’s notice said the committee has established a public input portal on its website. The public portal tool allows the public to submit written comments and attachments for the committee to review and consider regarding the upcoming redistricting process. Submissions received will be transmitted to members of the committee and any other senator who requests to review them.

[Here](#) is a link to the public input portal.

## HOUSE:

**Speaker’s Race** – House Speaker Dennis Bonnen announced in 2019 that he was not seeking re-election and would therefore be leaving the speaker’s office at the end of 2020. State Representative Dade Phelan (R-Beaumont) has announced he believes he has enough support to be named Speaker of the House when the legislative session convenes.

## BUDGET:

**Sales Tax Revenue in September** – On October 1<sup>st</sup>, Comptroller Glenn Hegar said state sales tax revenue totaled **\$2.57 billion in September** (*In August, it was \$2.82 billion; in July, it was \$2.98 billion; June, it was \$2.67 billion; and in May it was \$2.16 billion*), **6.1 percent less than in September 2019**. (*In August, it was 5.6 percent less than in August 2019; in July, it was 4.3 percent more than July 2019; in June, it was down 6.5 percent from June 2019; and in May 2020, it was 13.2 percent less than May 2019*). Comptroller Hegar said, “The COVID-19 pandemic and low price of crude oil continue to weigh on the Texas economy and sales tax revenue. As was the case the last month, state sales tax receipts from all major sectors, other than retail trade, were down compared with the same month last year, with the steepest declines in the oil and gas-related sectors. Receipts from the information sector were down due to federal preemption of sales taxation of internet access service. While tax receipts grew from some lines of retail business, especially those related to home improvements and outdoor recreation, most of the increase from retail trade was due to remittances from online out-of-state vendors and marketplace providers who did not collect Texas tax a year ago, but which are now required to collect and remit Texas tax following the Wayfair decision and subsequent legislation passed last session. Pandemic-induced changes in consumer shopping behavior also were apparent in generally increased receipts from big box retailers and declines from department stores, apparel stores and other mall and strip center specialty retailers. Receipts from restaurants also remain significantly below pre-pandemic levels.”

Total sales tax revenue for the three months ending in September 2020 was down 2.5 percent compared to the same period a year ago. Sales tax is the largest source of state funding for the state budget, accounting for 60 percent of all tax collections. The effects of the COVID-related economic slowdown also were evident in some other sources of revenue in September 2020. Texas collected the following revenue from other major taxes:

- motor vehicle sales and rental taxes - \$454 million, up 4.3 percent from September 2019;
- motor fuel taxes - \$294 million, down 9.7 percent from September 2019;
- oil production tax - \$227 million, down 31.9 percent from September 2019;
- natural gas production tax - \$71 million, down 28.1 percent from September 2019;
- hotel occupancy tax - \$34 million, down 36.9 percent from September 2019; and
- alcoholic beverage taxes - \$78 million, down 33.7 percent from September 2019.

[Here](#) is a link to the comptroller's Monthly State Revenue Watch.

[Here](#) is a link to the comptroller's Sources of Revenue report.

#### **PUBLIC EDUCATION:**

**TEA Extends the Minimum Funding Guarantee** – On October 1<sup>st</sup>, the Texas Education Agency (TEA) announced that given the need to ensure school systems have flexibility and financial security to provide instruction while they adapt to the COVID-19 pandemic, the current minimum funding guarantee established for the pandemic will be extended for an additional six weeks, which for most, but not all districts, means a funding guarantee is in place for the entire first half of the school year. This “hold harmless” guarantee will only be available to school districts that offer in-person instruction for any Texas family that desires it. Districts must also demonstrate a good faith effort to allow for on-campus attendance. Remote instruction will also continue to be fully funded for those who wish to stay home for classes online. This extension ensures that schools will receive their anticipated funding through the first eighteen weeks of the first semester regardless of changes to enrollment or attendance rates due to COVID-19. TEA will address whether further funding adjustments for the second semester are needed based upon information and data gathered between now and January 2021. The advisory to school districts said, “School systems are already fully funded this year based on students who are enrolled and who attend remotely or on campus. This minimum funding guarantee will address the slight decline in enrollment in Texas public schools this year due to the pandemic. Schools that are open for on-campus instruction have generally seen higher levels of enrollment than those relying solely on virtual education. Schools have taken tremendous steps to ensure that the on-campus environment remains safe, so enrollment has also increased as it has become clearer that COVID-19 does not seem to be spreading in schools at significant rates. School districts that utilize this extension will be required to identify students who are missing from enrollment and determine their location. Parents are

also urged to ensure that their children are enrolled and attending school. Taxpayers in Texas are not expected to fund school systems for students that are not being educated, so, ultimately, school budgets will continue to be based on enrollment. This limited ‘hold harmless’ extension provides time for the enrollment picture to become more stable, so that schools can wait to make operational and budget adjustments based upon clearer information. School districts that have been approved to offer a hybrid-only high school instructional setting can continue to do so. Texas Education Commissioner Mike Morath retains the authority to consider exceptions for extenuating circumstances.” Upon making this announcement, Education Commissioner Mike Morath said, “Given the uncertain nature of this public health crisis, we are giving as much support and flexibility as possible to school districts to ensure that we are balancing the need for student learning with our desire to help all our state’s students, teachers, staff, and families remain healthy and safe.”

**Texas Home Learning 3.0 Next Set of Instructional Materials** – On October 5<sup>th</sup>, the Texas Education Agency announced the next set of instructional materials – covering K-12 English Language Arts and Reading (ELAR), K-5 Spanish Language Arts and Reading (SLAR), and K-5 Science – that will be made available to school systems through the Texas Home Learning 3.0 (THL 3.0) initiative. Like other THL 3.0 offerings, these instructional materials are optional, digitized, customized for Texas, and aligned to Texas Essential Knowledge and Skills (TEKS)—the state standards for what students should know and be able to do. TEA has partnered with Amplify for K-8 ELAR and K-5 SLAR, Odell Education for 9-12 ELAR, and Great Minds for K-5 Science to develop and deliver this next set of high-quality resources including TEKS-aligned unit and lesson plans. Additional materials will be released on a continuous basis. Education Commissioner Mike Morath said, “As the pandemic continues to disrupt public education across our state, TEA is committed to supporting schools with effective distance learning resources.”

- Amplify’s K-5 Texas Elementary Literacy Program for ELAR and SLAR and 6-8 Amplify ELAR Texas are TEKS-aligned language arts curriculum designed to support Texas learners in the classroom, at home, or wherever learning takes place. Built on the science of teaching reading, the K-5 Amplify Texas Elementary Literacy Program combines foundational skills with content knowledge - so that learning to read and reading to learn develop together. The 6-8 Amplify ELAR Texas program is a TEKS-aligned, blended language arts curriculum that places text at the center of every lesson. Designed specifically for Texas middle schools, this flexible program supports digital, print, and hybrid classrooms.
- Odell Education’s Texas High School Literacy Program, which covers 9-12 ELAR, was created specifically for Texas high school students and educators. Great Minds’ K-5 PhD Science TEKS Edition is a phenomenon-based program in which teachers facilitate the learning, but students own it. In every module, students explore phenomena to build an understanding of core science concepts through hands-on investigations and evidence-based learning.

- THL 3.0 is a comprehensive initiative to support school systems, teachers, parents, and students during the public health crisis and beyond with instructional materials, technology solutions, and professional development resources.

TEA previously announced that it will offer all Texas school systems a world-class Learning Management System (LMS) from PowerSchool’s Schoology for two years at no cost. Nearly 400 Texas school systems have already signed up, with another 200 currently engaging with the Schoology team.

**Senate Education Committee** - The Senate Education Committee met on October 14<sup>th</sup>, to hear invited testimony on two of its interim charges. The committee met in a hearing room in the capitol with plexiglass dividers and the invited witnesses appeared via videoconference. The topics addressed were:

**Teacher Workforce** - Examine best practice models to recruit, prepare, and retain highly effective teachers. In particular, focus on methods to train and prepare educators for teaching through virtual, in-person, or a blend of methods.

**Invited witnesses were:**

- Tim Miller, Superintendent in Residence, Raise Your Hand Texas
- Holly Eaton, Texas Classroom Teachers Association
- Monty Exter, Association of Texas Professional Educators
- Diann Huber, President, iteach TEXAS
- Dave Saba, Chief Development Officer, Texas Teachers of Tomorrow
- Stacey Edmonson, Sam Houston State University
- Glenda Ballard, Vice President for Graduate and Professional Studies, St. Edward’s University
- Kely Oeser, Deputy Commissioner of Educator Support, Texas Education Agency

**Adult Education** - Identify and evaluate current innovative programs that assist non-traditional students (first-time adult learners, re-enrolling students, working adults, and educationally disadvantaged students) in completing a high school diploma, GED, post-secondary degree, or workforce credential, including a review of adult education charter schools and their performance framework. Make recommendations to help successful expansion with partnered business and education entities.

**Invited witnesses were:**

- Joe Siedlecki, Associative Commissioner, Texas Education Agency
- Traci Berry, Superintendent of Goodwill Excel Center and former student Kareema Ali
- Kristina Hartman, Superintendent of Windham School District
- Deborah Middleton, Senior Coordinator, Empowerment Center, Alamo Colleges-San Antonio College

**COVID-19 Rapid Testing Pilot Program for Texas Schools** – On October 14<sup>th</sup>, Governor Greg Abbott, the Texas Education Agency (TEA), and the Texas Division of Emergency Management (TDEM) announced the creation of a COVID-19 Rapid Testing Pilot Program for Texas school systems. The program will help schools

conduct rapid tests of district employees and students - with the written permission of their parents - to mitigate the spread of COVID-19 on campuses. Through this pilot program, TDEM will provide participating school systems with COVID-19 rapid antigen tests that will be administered to students, teachers, and staff who choose to participate. Schools enrolled in the program will also receive personal protective equipment (PPE) to safely administer the rapid tests, which produce reliable results within 15 minutes. The launch of the pilot program will include eight participating school systems with plans to significantly ramp up the program across the state. Texas public and private schools interested in applying for the testing program will be able to apply through the Texas Education Agency no later than Wednesday, October 28, 2020. Governor Abbott said, "As more students return to campus for in-person instruction, the State of Texas is working alongside school officials to provide resources to mitigate the spread of COVID-19 among students and staff. Thank you to the U.S. Department of Health and Human Services for providing these advanced antigen tests to the State of Texas. This rapid testing pilot program will be an effective strategy to protect the health and safety of students and staff while helping to further ensure that Texas students have access to a quality education throughout the pandemic and beyond." Participating school systems include:

- Bob Hope School (Port Arthur)
- Fabens ISD
- Grace Community School (Tyler)
- Granger ISD
- Lampasas ISD
- Longview ISD
- Harlingen Consolidated ISD
- Ysleta ISD

**Texas Early Learning Council** – On October 20<sup>th</sup>, Governor Greg Abbott appointed Kimberly Kofron and Amber Scanlan to the Texas Early Learning Council for terms to expire at the pleasure of the governor. The Texas Early Learning Council serves as Texas' state advisory council as required by the federal Improving Head Start for School Readiness Act of 2007. The council utilizes its breadth of stakeholder representation to increase coordination and collaboration across state agencies and local program and service providers in order to improve the quality of and access to early childhood services across Texas.

**Kimberly Kofron** of Round Rock is the Executive Director of the Texas Association for the Education of Young Children. She is a member of the National Association for the Education of Young Children and the American Society of Association Executives. Kofron received a Bachelor of Science in Child Development and Family Studies from the University of Illinois at Urbana-Champaign and a Master of Education from The University of Texas Austin.

**Amber Scanlan** of Southlake is the senior vice president and director of Client and Community Relations for PNC Bank. She is chair of the board of directors for First 3 Years and vice chair on the board of directors for Texans Care for Children. Additionally, she is a member of the board of governors of The Dallas Foundation, board of directors for Early Matters Dallas, a member of the Legislative Voices

Cohort for Leadership ISD and a 2019 graduate of Leadership Dallas at the Dallas Regional Chamber. Scanlan received a Bachelor of Science degree in Marketing and a Master of Business Administration from Florida Gulf Coast University.

**Supplementary Special Education Services Program** – On October 21<sup>st</sup>, Governor Greg Abbott and the Texas Education Agency (TEA) announced the establishment of the Supplementary Special Education Services (SSES) program to connect eligible students with severe cognitive disabilities with additional support for the critical services they require. This student-centered SSES program will help connect Texas families to high-quality, personalized services through a one-time funding allocation that aims to help offset learning disruptions related to COVID-19. Qualifying families will gain access to a targeted spending account to purchase services costing up to \$1,500 dollars per eligible student. Through this funding source, Texas families can purchase supplemental supports such as tutoring, therapy, and digital resources through vendors approved and vetted by TEA. The purchased services are intended to be supplementary and do not remove responsibility from Texas public school systems to provide the educational services outlined in each eligible student's Admission, Review, and Dismissal (ARD) plan. Families of students enrolled in public school during the 2020-2021 school year that were enrolled during the initial COVID-19 closures in Spring 2020 and have been identified as having a low incidence disability will qualify. Nearly 59,000 students statewide are eligible to benefit from this new program. Participation priority will be given to families receiving income assistance and/or families that have documented financial need. Governor Abbott said, "This program is a win for Texas families and children with special education needs, many of whom have endured education disruptions due to COVID-19. Education is vital to the future of every Texas child, and every student is entitled to a high-quality education. The SSES program further advances Texas' mission to improve outcomes for students with disabilities. This innovative initiative builds on the services that students are already receiving at school, and provides additional resources and support at a pivotal moment in the lives of Texas families and their children.

**Houston ISD Teachers Call in Sick to Receive COVID-19 Tests** – On October 22<sup>nd</sup>, teachers from at least 35 Houston ISD campuses called in sick to receive COVID-19 testing contending that the district is failing to establish a safe environment for in-person instruction. Teachers wanted to highlight the concerns teachers and school support personnel have as cases of COVID-19 spike again nationwide and reverse direction in Harris County.

**A middle school teacher** said, "I am in a classroom where seven different classes rotate throughout the day. They are sitting barely three feet apart, 45 minutes at a time. Students eat lunch in my little classroom - maskless - while eating lunch and conversing with their friends, as students naturally do. I can't pretend that this is safe. My family and I are not okay with this. And I'm sure that many of my students and their families aren't either."

**A high school teacher** said, "Due to the lack of cleaning supplies, students in my classroom sit in unsanitized desks, and only the teacher has a plexiglass shield. I

am worried for my students. Almost all of the children who have died from COVID nationwide are Black and Latinx. I am terrified these unsanitary conditions are putting my students, their multi-generational families and myself at risk.”

**An elementary school teacher** said, “This is my 24<sup>th</sup> year. I love teaching and I am good at it. But this year, attempting to teach both in-person and virtual classes simultaneously is unbelievably stressful and exhausting. Nowadays, all I do is take care of my daughter, my students, make dinner and sleep. There is literally no time for anything else. These are unhealthy work conditions both for my physical and mental health.”

**Other teachers** contend that multiple attempts have been made to engage in good-faith dialogue with HISD administration, such as through campus safety teams, and participation in town halls, and the car caravan protest, to convey recommendations for a safe learning environment for students and school staff and the urgency of adopting them. They said, “Unfortunately, the administration has failed to implement safe protocols consistently across all HISD campuses.” Educators responded by creating seven demands for a safe reopening of HISD:

1. Six feet social distancing required, class sizes limited, capped at 15. Schools that cannot follow these social distancing guidelines must provide additional personnel to divide and monitor overflow students in a separate location/room.
2. Meals should be consumed outside or in a large open, well-ventilated area. Students should not eat meals in classrooms as they will not be wearing masks, nor should anyone - teacher or support personnel - be required to monitor a classroom full of students eating without masks.
3. Staff with pending ADA/FMLA applications should not be required to return to work in person until ADA/FMLA is approved or denied. HISD must provide a clear process for appeal if denied ADA/FMLA. Data on denial percentages must be public.
4. All classrooms must have an optimized HVAC system and a plan to optimize air circulation/filtration. Campuses must have a distribution plan for supplies and a defined plan for weekly replenishment.
5. The district must include an addendum of the Student/Staff Codes of Conduct for PPE/Mask policies and disciplinary procedures for safety infractions for students and staff. Refusal to agree to this will equal the student returning to virtual instruction.
6. Quarantine should be for the entire campus if anyone on the campus contracts COVID-19 due to the airborne transmission of COVID 19. The district and campus must immediately communicate information about ALL probable and positive cases to all staff and parents at that school. Schools who are under quarantine must be made public.
7. No teachers or staff who resign should receive TEA sanctions during the 20-21 school year. Primary protections should be provided to those who are denied ADA and FMLA applications, which are then forced into resignation.

**A high school teacher** said, “We are taking action now because HISD is at a tipping point. Drove of teachers are considering quitting teaching mid-semester rather than put themselves and their students at risk. HISD could lose a huge base

of its experienced teachers, expanding the already too wide opportunity gap in HISD for low-income students of color. My principal told me not to report my absence. He threatened to corral students in the auditorium to deter us from taking a sick day to get tested for COVID. That they would endanger children this way speaks to the heart of why we are doing this. No one, especially students, is safe right now.”

**Report on Teacher Pay** – On October 29<sup>th</sup>, Governor Greg Abbott and the Texas Education Agency (TEA) released a report showing pay raises for Texas teachers for the 2019-2020 academic year as a result of HB 3. Statewide, Texas teachers who have more than 5 years of experience received an average pay raise of over \$5,200, while teachers who have been working up to five years received an average pay raise of more than \$3,800. It is worth noting that the pay increases are averages of all teacher raises in Texas; individual raises vary. The pay raises are part of a \$1.1 billion annual investment in additional compensation that started last year for Texas teachers, counselors, librarians, and school nurses. HB 3:

- created an incentive pay program for teachers to be on a path to reach six-figure salaries;
- added career, college, and military readiness bonuses for school districts;
- funded full-day prekindergarten for students in poverty;
- required all elementary school principals and teachers in kindergarten through third grade be trained on science-based reading instruction by 2021;
- created a student-focused formula structure, where the needs of a child – not the child’s zip code – determine funding allocation;
- buys down property tax rates by an average of 8 cents in 2020;
- implements a 2.5 percent property tax cap starting in 2021, which will result in a cumulative average tax rate reduction of 12 cents this biennium; and
- provided an increase of \$2.7 billion in annual net funding for public education and school district budgets.

**Governor Greg Abbott** said, "Thanks to the historic legislation we passed last session, Texas teachers are already seeing a significant increase in their pay. When Texas students graduate, we want them to receive more than a diploma - but also the knowledge and skills they need to excel in college or a career. Thank you to Chairman Larry Taylor and Chairman Dan Huberty for leading the way on this critical issue, and thank you to Lieutenant Governor Dan Patrick, Speaker Dennis Bonnen, and members of the Legislature who supported this bill. Their work is delivering meaningful results for Texas students and teachers, and helping our state recruit and retain the very best educators. The State of Texas will continue to enhance our education system and provide a quality education for every Texas student, regardless of zip code."

**Lt. Governor Dan Patrick** said, "As Lt. Governor, I promised teachers a pay raise and in 2019 I made it my top priority to invest \$4 billion to raise teacher pay and ensure that teaching is treated as a profession, not a job. It was a tough fight but I delivered on my promise. Aside from a parent, nothing has more impact on the future success of a child than a teacher. Going forward, these pay raises will also help Texas continue to recruit the best and the brightest teachers anywhere."

**Speaker Dennis Bonnen** said, "On day one of the 86<sup>th</sup> Legislature, I declared school finance reform to be the top priority for Texas House members because our education system deserved serious, meaningful changes that would transform the lives of students and teachers. HB 3 put those objectives into action by finally compensating Texas educators like the professionals they are and by equipping school districts across the state with the resources to attract and retain the best and brightest teachers in our schools. This report is proof that it's working."

**Senate Education Committee Chairman Larry Taylor** said, "HB 3 makes crucial investments in the most important factor in driving student outcomes: our classroom teachers. HB 3 raises the salary of all teachers - incentivizing new teachers to the profession and retaining our veteran teachers. It is my hope that this concerted effort to increase teacher compensation will allow more veteran educators to remain in the classroom where they can continue to change lives and share their expertise with junior colleagues."

**House Public Education Committee Chairman Dan Huberty** said, "Coming from a long line of teachers and knowing how just one teacher changed the course of my life, it was critical that we compensate teachers as professionals. I was proud to be a part of this historic accomplishment and look forward to continuing funding teachers and their peers, so that they not only want to stay in the classroom but stay in the profession."

**Texas State Teachers Association** President Ovidia Molina responded saying, "We are glad that Texas teachers finally received long overdue pay raises from the legislature in 2019. The only reason it happened is because teachers and other school employees turned out in large numbers in the 2018 elections and unseated a dozen anti-education members from the Texas House and two from the state Senate and replaced them with education friendly legislators. The governor and the legislature, however, did not see fit to increase the state's \$75 monthly contribution to teacher health care premiums. That contribution hasn't been increased in almost 20 years, while health care costs have soared and continue to erode educator take-home pay. Even with the pay raises, which went into effect in the 2019-20 school year, the average teacher pay in Texas continues to lag well behind the national average, according to data compiled by the National Education Association, TSTA's affiliate. NEA calculated the average pay increase for all Texas teachers last year at about \$3,000, which is less than the state is reporting. But even using the state's salary figures, Texas teachers with more than five years' experience still are paid, on average, more than \$4,300 less than the national average for all teachers. Less-experienced Texas teachers are paid more than \$5,700 less. And these same teachers are being required to risk their health and perhaps their lives by returning to their classrooms during the COVID-19 pandemic. Instead of patting themselves on the back, our state leaders should be planning to add to those raises during next year's session."

[Here](#) is a link to the TEA report on teacher salaries.