



**Representative
Dan Huberty**



STATE CAPITOL
Capitol Extension E2.712
P.O. Box 2910
Austin, TX 78768

PHONE
512.463.0520

DISTRICT
4501 Magnolia Cove
Suite 201
Kingwood, TX 77345

PHONE
281.360.9410

FAX
512.463.1606

E-MAIL
District127.Huberty@house.state.tx.us

Staff Contact Information:

CASEY CHRISTMAN
Chief of Staff

Casey.Christman@house.state.tx.us

MAGGIE IRWIN
Legislative Director

Maggie.Irwin@house.state.tx.us

Back to School

It is hard to believe that we have reached the beginning of another school year. This year, Brianna will be an eighth grade student at Atascocita Middle School (AMS); Ryan will be entering sixth grade, also at AMS and Dylan will be a fourth grader at Maplebrook Elementary. Needless to say, all three of them are very busy with curriculum and after-school activities. But I look forward to this busy time of year, as I get to see them work hard and accomplish goals in the classroom and their activities.

There is a lot to look forward to in a new school year and even more so this year, with the implementation of the many public education bills we passed in the 83rd Legislative Session. This is also true for any bill we passed with an immediate or September 1st effective date. You can read about all the pieces of legislation from this session that were effective immediately and the bills we passed with a September 1st effective date by visiting the Texas Legislature Online website, or by clicking [here](#).

If you would like to learn more about any of the items listed in this newsletter, please contact my staff at either the District Office, 281-360-9410, or the Capitol Office, 512-463-0520. And remember you can always contact me through the House website at www.house.state.tx.us.

Sincerely,

Dan Huberty
State Representative- District 127

Visit Representative Huberty online [here](#).
To Subscribe to our newsletters, click [here](#).
To Unsubscribe to our newsletters, click [here](#).

State Board of Education seeks Input on New High School Graduation Requirements

House Bill 5 (HB5), passed by the Texas Legislature this spring, made substantial changes to the state's high school graduation requirements, moving from the current "4x4" graduation plans to a 22-credit Foundation High School Program that allows students to earn endorsements in specific areas of study by completing four additional credits. The new plan requires the state board to make a number of policy decisions, such as deciding which courses will count as advanced mathematics, English and science courses and determining the requirements for each endorsement area. The endorsement areas are science, technology, engineering and mathematics (STEM); business and industry; public services; arts and humanities; and multidisciplinary studies. [Please click this link to view a breakdown of the changes made by House Bill 5.](#)

The State Board of Education is seeking input from educators and community members as it begins to restructure graduation requirements to address recent changes in state law. The board will hold a public hearing Sept. 17 in room 1-104 of the Travis State Office Building in Austin to receive input from educators and others about the changing graduation requirements. Those who wish to submit comments about the graduation changes prior to the beginning of the official rulemaking process may send their comments to sboesupport@tea.state.tx.us through September 10.

After the public hearing, Texas Education Agency staff will craft a proposed rule dealing with graduation requirements. The board will consider this draft rule at its November 20-22, meeting in Austin. If the rule receives preliminary approval, it will be posted in the Texas Register and there will be a 30-day public comment period. Comments during this time may be submitted to rules@tea.state.tx.us. A final vote on the changes is expected during the board's Jan. 29-31 meeting in Austin.

Because many details about the Foundation High School Program and the endorsements must still be worked out, the new graduation plan will not be in effect for the 2013-2014 school year. School districts must continue to offer the three existing graduation programs – the Distinguished Achievement Program, the Recommended High School Program and the Minimum High School Program - through at least the 2016-2017 school year when those students who enter high school later this month graduate. However, students who will be sophomores, juniors or seniors during the 2014-2015 school year and are currently following one of the three existing programs will have the option of switching to the Foundation program when it becomes available in the 2014-2015 school year.

As updates become available about the graduation programs, they will be posted on the Texas Education Agency's website at <http://www.tea.state.tx.us/graduation.aspx>.

Update on Rep. Huberty's House Bill 866 to decrease STAAR Testing in Grades 3-8

One of the many positive changes made in public education this legislative session, Rep. Huberty's HB 866 would drastically decrease standardized testing in grades 3-8. As written, the legislation was designed to alleviate the overly burdensome yearly state assessment tests in elementary and middle school grade levels 3 - 8. The legislation allows high-performing students to "test out" of subsequent STAAR tests in a particular subject by performing well on the test. Not only would this greatly reduce testing for certain students, but it would allow educators and administrators to focus on those students who do not perform well on the tests and may require more attention.

However, this would violate rules from the current No Child Left Behind Act, which requires annual testing for math and reading for all students in grades 3 through 8. For this reason, the TEA must seek a waiver from the U.S. Department of Education (USDE). Should the federal government determine that relevant provisions of federal law may be waived and ultimately grant a waiver request, potential changes would include assessments for math in grades 3, 5 and 8; and reading in grades 3, 5 and 8. In a July letter to the USDE, TEA sought clarification that the specific federal provisions related to these student tests can and may be waived.

Because there is no set timetable for USDE to reach a decision on waiver requests submitted by states, the provisions of HB 866 will not impact the 2013-2014 school year. In addition, HB 866 does not impact requirements for writing, social studies or science assessments in grades 3 through 8. Under the legislation, the provisions of HB 866 would take effect no later than Sept. 1, 2015 (once the state has obtained a federal waiver or received written notification that a waiver is not required).

Notice of SBOE Public Hearing on CSCOPE

As a part of the CSCOPE Social Studies lesson plans review by the SBOE Ad Hoc Review Committee, a public hearing will be held on Friday, September 13, 2013 beginning at 1:00 p.m. in Room 1-111 of the William Travis Building, 1701 North Congress in Austin, Texas. Testimony from the public will be heard by the Ad Hoc Review Committee and any State Board of Education members who choose to attend. As the Ad Hoc Review Committee is specifically charged with implementing a process by which the CSCOPE Social Studies lesson plans are being reviewed, those who plan on testifying are asked to limit their comments to specific recommendations pertaining to identified CSCOPE Social Studies lessons as they appear at either myscope.us (until August 31, 2013) or thereafter, at www.texas Tribune.org/interactive/search-cscope-lesson-plans/.

Due to the large number of testifiers anticipated, a time limit of 3 minutes per speaker will be strictly enforced. Interested persons may register to testify at the Texas Education Agency website by following the link to the State Board of Education and the link to Registering for Public Testimony. Written testimony will also be received by the Committee.

Texas Department of State Health Services Issues Measles Alert

Citing four confirmed measles cases in the last month and nine cases for the year, the Texas Department of State Health Services (DSHS) has issued a health alert and is urging immunization against this highly contagious illness. State health officials are asking health care providers to be on alert for potential exposures and patients with measles symptoms, particularly in the North Texas area. The four most recently confirmed cases are from Tarrant County. Other Texas counties with cases this year include Dallas (2), Denton (2) and Harris (1). There were no measles cases reported in 2012 and six cases in 2011.

Measles is a highly contagious respiratory illness spread by contact with an infected person through coughing and sneezing. Measles is so contagious that if one person has it, 90 percent of the people close to that person who are not immune or vaccinated will also become infected with the measles virus. State health officials urge immunization to protect against and prevent the spread of measles. People should check their immunization status with their health care provider. The incubation period of measles is about two weeks from exposure to onset of rash. People are contagious from four days before onset of rash to four days after the appearance of rash. The rash usually begins on the face and spreads to the trunk. Other symptoms include fever (higher than 101 degrees), cough, runny nose and sore eyes. People suspected of having measles should seek medical attention and otherwise stay home until four days after the rash appeared.

Vaccination even shortly before or after exposure may prevent the disease or lessen the symptoms in people who are infected with measles. Immune globulin given up to six days after exposure may prevent disease among susceptible or unvaccinated people at high risk for complications, such as pregnant women, people with weak immune systems and children too young to be vaccinated.

Removal of Dangerous Trees in Kingwood Neighborhood

The City of Houston removed six dangerous trees on private property in Kingwood's Trailwood Village neighborhood at 2007 Lake Village Drive, Houston 77339, on August 16 and 17. The dead and falling trees posed a hazard to residents, particularly for students who must walk by the property on their way to nearby Foster Elementary School. The City declared the abatement an emergency in order to have the trees removed before the start of the school year.

The City of Houston has been working with Super Neighborhood #43 and Trailwood Village community residents to address the problem. The tree abatement project is being administered by Inspections & Public Service (IPS), a division of Department of Neighborhoods, in collaboration with Houston City Council Member Dave Martin's office. To learn more about the services and programs of the Department of Neighborhoods, visit www.houstontx.gov/neighborhoods.

DPS Boosts Patrols for Labor Day Enforcement Period

The Texas Department of Public Safety (DPS) will increase DWI patrols from August 19 – September 9, which includes the Labor Day holiday weekend. DPS troopers will focus DWI patrols in high-risk locations at times when alcohol-related crashes are most frequent. The enhanced patrols that target impaired drivers are funded through a grant from the Texas Department of Transportation (TxDOT).

During the Labor Day enforcement effort last year, DPS troopers made 1,879 DWI arrests, and approximately 503 of those were the direct result of the increased patrols. Last year during this same time period, DPS enforcement also resulted in 24,779 speeding citations, 3,890 seat belt/child safety seat citations and 4,062 no insurance tickets. In addition, troopers made 1,238 fugitive arrests, 895 felony arrests and 889 drug arrests during routine patrol operations.

DPS offers the following tips for safe travel during the Labor Day holiday:

- Don't drink and drive. Designate a driver or take a cab.
- Eliminate distractions, including the usage of mobile devices.
- Buckle up everyone in the vehicle – it's the law.
- Slow down – especially in bad weather, construction areas and heavy traffic.
- Slow down or move over for tow trucks and police, fire and EMS vehicles stopped on the side of the road with emergency lights activated – it's the law. Starting Sept. 1, the law also applies to TxDOT vehicles.
- Don't drive fatigued.
- Drive defensively, as holiday travel may present additional challenges.
- Make sure your vehicle is properly maintained before your trip begins.

New Traffic Laws Effective September 1st

Please find a list of notable traffic and criminal laws that go into effect on Sunday, Sept. 1, 2013.

HB 347 expands the current limitations on wireless communication device (cell phone) use in an active school crossing zone to include the property of a public elementary, middle, or junior high school for which a local authority has designated a school crossing zone. The use will only be restricted during the time a reduced speed limit is in effect for the school crossing zone. Further, it will not apply to vehicles that are stopped, or drivers using a hands-free device or making an emergency call.

HB 1174 amends current statute to increase the minimum fines for the misdemeanor offense of passing a stopped school bus loading or unloading children. The minimum fine increases from \$200 to \$500, and the maximum fine for such an offense increases from \$1,000 to \$1,250. The bill also enhances the penalty for a second or subsequent conviction of that offense committed within five years to a misdemeanor punishable by a minimum fine of \$1,000 and a maximum fine of \$2,000.

SB 510 requires drivers to move over or slow down (as required depending on the roadway) when approaching a stationary Texas Department of Transportation vehicle with its lights activated and not separated from the roadway by a traffic-control device. This provision expands the state's Move Over/Slow Down law, which already requires drivers to yield to tow trucks, police, fire and emergency vehicles. Violators would commit a misdemeanor offense punishable by a fine of up to \$200; punishable by a fine of \$500 if property damage occurs; or a Class B misdemeanor if the violation results in bodily damage.

HB 3668 amends current statute to require the operator of a vehicle involved in an accident that results or is reasonably likely to result in the injury or death of a person to immediately determine whether a person is involved in the accident, and if so, whether the person requires aid, in addition to other existing statutory requirements.

SB 275 increases the penalty for leaving the scene of a motor vehicle accident resulting in the death of a person and failing to render aid from a third-degree felony to a second-degree felony. A second degree felony carries a punishment of two to 20 years in prison and an optional fine not to exceed \$10,000, whereas a third degree felony carries a penalty of two to 10 years in prison and an optional fine not to exceed \$10,000.

[You can view all the laws that will go into effect this weekend at this link.](#) Similarly, any law that went to effect upon receiving the signature of the Governor or prior to this date can also be viewed at the previous link.

TEA Announces Rules for Current Seniors to Graduate Under the New FSP

TEA Commissioner Michal Williams has announced that he intends to file rules that would allow students completing the fourth year of high school during the 2013-2014 school year to graduate under the new Foundation High School Program as permitted by Section 28.025(h-2), Texas Education Code, as added by House Bill (HB) 5, passed by the 83rd Texas Legislature, 2013, and signed into law by Governor Perry.

While the majority of seniors this year will continue to graduate under the existing Minimum High School Program (MHSP), Recommended High School Program (RHSP), and Distinguished Achievement Program (DAP), a small group of students may meet the requirements for the new Foundation High School Program and choose to graduate under that program. However, the requirements for the endorsements and performance acknowledgments have not yet been determined by the State Board of Education (SBOE). Consequently, a student who chooses to graduate under the Foundation High School Program in 2013-2014 will earn a foundation diploma only and will not have the option to earn an endorsement, the distinguished level of achievement, or a performance acknowledgment.

The proposed rules will only apply to the small group of students who are able to complete the coursework required to graduate under the Foundation High School Program in 2013-2014, choose this option, and graduate in the 2013-2014 school year. This includes students who complete the required coursework during the summer of 2014, but not thereafter.

The SBOE has sole authority to determine the curriculum requirements for all the endorsement options and performance acknowledgments. The SBOE is actively working to adopt rules to specify the curriculum requirements for the foundation high school program and related components that will be fully implemented beginning with the 2014-2015 school year with final decisions expected in January 2014.

To help planning and communication with students and parents, please find attached an outline of what the proposed rule will include for those students completing their fourth year of high school and wishing to graduate under the Foundation High School Program in the 2013-2014 school year. Please note that once the rules are filed in the coming weeks, they will be subject to public comment. Changes will be made, as appropriate, in response to those public comments, and then the rules will be adopted as final.

Before making a final decision regarding the graduation program they will pursue, I would strongly encourage students – especially those who are planning to pursue a degree in higher education – and their parents to consider the benefits of taking additional advanced math and science courses required by the current four-by-four and to fully research required or recommended coursework for admission to at any higher education institution they have interest in attending.

Please note that students who were first-time 9th graders before the 2011–2012 school year must meet the established performance standards for the Texas Assessment of Knowledge and Skills (TAKS) to be eligible to graduate from a Texas public school. This graduation requirement is applicable to the majority of students who are currently classified as seniors. The assessment requirements for this group of students have not changed.

The SBOE is likely to make different decisions about the Foundation High School Program requirements that will be in effect in future years, but the decisions reflected in the attachment and upcoming rule proposal try to maintain the previous decisions of the SBOE to the greatest extent possible. You may stay informed about developments concerning the HB 5 graduation requirements at the following website: <http://www.tea.state.tx.us/index2.aspx?id=25769806149>.