

SUBJECT: Requiring sunset review of the Windham School District

COMMITTEE: Corrections — committee substitute recommended

VOTE: 5 ayes — Allen, Hopson, Stick, Alonzo, Mabry

1 nay — Farrar

1 absent — Haggerty

WITNESSES: For — None

Against — Dee Simpson, American Federation of State, County, and
Municipal Employees

BACKGROUND: Education Code, ch. 19 authorizes the Windham School District to operate schools at Texas Department of Criminal Justice (TDCJ) facilities. The district is funded primarily through foundation school funds.

DIGEST: CSHB 1856 would require the Sunset Advisory Commission to review the Windham School District's operations. The commission would have to evaluate the extent to which the district achieves its statutory goals to reduce recidivism, reduce the cost of confinement, increase the success of offenders in getting and keeping jobs, and provide an incentive to inmates to behave positively during their confinement. The commission also would have to evaluate whether money from the foundation school fund, appropriated funds, and gifts and grants are used efficiently to achieve these goals.

The Sunset Advisory Commission would have to make its recommendations to the Legislature by January 1, 2005. If the Legislature did not approve the continuation of Windham, the statute authorizing it would expire September 1, 2005. If Windham were discontinued, its powers, duties, functions, and funds would be transferred to TDCJ.

The bill would take effect September 1, 2003.

**SUPPORTERS
SAY:**

CSHB 1856 would ensure that the Windham School District is examined thoroughly by analysts skilled and experienced in examining the workings of state agencies. While Windham has been included in sunset reviews of other agencies and has been examined by other entities, it never has been the focus of a sunset review.

Sunset reviews take detailed looks at agency policies and operations, which the other reviews do not. The district was a minor part of the 1999 sunset review of TDCJ and has been included in sunset reviews of the Texas Education Agency (TEA). However, those reviews focused on the larger agency. Other entities, such as the Criminal Justice Policy Council (CJPC), that also have examined Windham did not necessarily examine all aspects of its operations but tended to focus on a few issues.

CSHB 1856 would treat Windham like all other state agencies by placing it under sunset review. This could help the agency improve its ability to help offenders obtain the education and skills they need to become productive, law-abiding citizens when released, and it could help the district deal with problems that have been identified in its administration.

According to the Legislative Budget Board, CSHB 1856 would have no fiscal implication for the state.

**OPPONENTS
SAY:**

CSHB 1856 is unnecessary, because Windham has been reviewed many times by various entities. Sunset reviews of TDCJ and TEA included Windham. The CJPC issued three reports on the district in 2000, and the Comptroller's Office performed an extensive review in 1992. Requiring the Sunset Advisory Commission to review Windham would be an unnecessary expenditure of state funds that the commission could put to better use.

NOTES:

The committee substitute completely revised the original bill by adding the sunset provisions. As filed, HB 1856 would have eliminated the requirement that Windham provide vocational training to offenders.