

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 1393
By: Shapiro
Education
4/15/2005
Committee Report (Substituted)

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Current accountability standards for regional education service centers (centers) need improvement. The annual evaluation conducted by the commissioner of education does not provide for an overall rating system. After the review is complete, no score is given to determine how well the center director performed. In addition, there is no posting of the evaluation or the date when it was conducted.

The accountability standards do not provide an accurate comparison of all centers in terms of the number of programs offered by the center that focus on TAKS-tested subjects and the attendance rate at each program. State dollars are specifically given to centers to provide programs dedicated to core services and core foundation subjects, but there is no system in place to effectively measure the success or failure of the programs offered by the center.

C.S.S.B. 1393 improves and strengthens the accountability standards in place for centers and strengthens the annual evaluation conducted by the commissioner of education. C.S.S.B. 1393 establishes an overall rating system for centers which will be based on their annual evaluation performed by the commissioner and posted on the Texas Education Agency's website. It also adds a new sanction for centers that are low-performing for more than two years.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 8.103, Education Code, as follows:

Sec. 8.103. ANNUAL EVALUATION. (a) Creates this subsection from existing text. Requires the evaluation of each executive director and regional education service center (center) to include a survey of the center's board of directors concerning the performance of the center's executive director, a review of certain programs offered by the center and the attendance rate, and a review of the center's performance on four goals established by the center for improving the center's performance. Makes a nonsubstantive change.

(b) Requires the Texas Education Agency (TEA) to post the results of an evaluation conducted under this section on TEA's Internet website.

SECTION 2. Amends Subchapter C, Chapter 8, Education Code, by adding Section 8.1031, as follows:

Sec. 8.1031. RATING SYSTEM. (a) Requires the commissioner of education (commissioner) to establish a system for rating centers on the basis of the results of evaluations conducted under Section 8.103.

(b) Requires the rating system to include a minimum level of performance that a center is expected to achieve under Section 8.103 and on the overall evaluation. Provides that a center that does not meet the minimum level of overall performance is considered to be low-performing.

SECTION 3. Amends Section 8.104, Education Code, as follows:

Sec. 8.104. SANCTIONS. (a) Creates this subsection from existing text. Requires the commissioner to develop a system of corrective actions to require of a regional education service center that the commissioner determines to be low-performing under Section 8.1031.

(b) Creates this subsection from existing text. Requires the corrective actions, in increasing order of severity, to include requiring the center to send notice to certain school districts and campuses concerning any area of performance that is below the minimum level of performance established for that area under Section 8.1031, rather than a notice of each deficiency, and requiring the center to prepare for the commissioner's approval a plan to address each area of performance that is below the minimum level of performance established for that area under Section 8.1031, rather than each area of deficiency. Deletes existing text relating to the corrective actions of appointing a master to oversee the operations of the center, replacing the executive director or board of directors, and closing the center in the case of deficient performance in two consecutive years.

(c) Requires the commissioner, in addition to the actions required under Subsection (b), to take specific actions, including putting the center on probation, withholding and redistribution of funding, appointing a master to oversee the center, replacing the executive director or board of directors, and closing the center, based on years of low-performance status.

SECTION 4. (a) Requires the commissioner, as soon as practicable after the effective date of this Act, to establish a rating system for regional education service centers as required by Section 8.1031, Education Code, as added by this Act.

(b) Requires TEA to begin rating regional education service centers as required by Section 8.1031, Education Code, as added by this Act, beginning with the 2006-2007 school year.

(c) Prohibits the commissioner to take an action under Section 8.104, Education Code, as amended by this Act, based on the performance of a regional education service center for the 2005-2006 school year or an earlier school year.

SECTION 5. Effective date: upon passage or September 1, 2005.