

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 127
By: Shapleigh et al.
Education
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Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The goal of the Communities in Schools (CIS) program is to support schools by working with at-risk students to decrease the dropout rate. This program has become the largest dropout prevention program in the state. Initial funding at the program's inception in 1980 was provided by discretionary funding from the federal Job Training Partnership Act. Since 1989, the program has been financed with discretionary funding either from the governor or from the legislature through an appropriations rider passed each legislative session. Under current law, the Education Code does not specify that funds have to be set aside for the CIS program.

C.S.S.B. 127 increases funding and creates a mandatory set-aside for CIS within Article 42.152 (Compensatory Education Allotment), Education Code. This bill establishes certain accountability metrics for the state CIS office that aligns with those stated by the national CIS office. This bill gives the commissioner of education the authority to remove funding from CIS programs performing under those metrics and to redistribute that funding through a competitive bidding process to other CIS programs.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the commissioner of education in SECTION 3 (Section 33.155, Education Code) of this bill.

Rulemaking authority previously granted to the Texas Education Agency and the Department of Protective and Regulatory Services is rescinded in SECTION 3 (Section 33.155, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 33.154, Education Code, to require the state director of the Community in Schools (CIS) program to set performance goals, objectives, and measures that consider improvement in student behavior, academic achievement, and certain rates related to the progress of students through school for the CIS program.

SECTION 2. Amends Subchapter E, Chapter 33, Education Code, by adding Section 33.1541, as follows:

Sec. 33.1541. FAILURE TO ACHIEVE PERFORMANCE GOALS, OBJECTIVES, AND MEASURES. Authorizes the commissioner of education (commissioner) to withhold funding from a CIS program, and to require that program to compete through a competitive bidding process to receive funding, if that program is determined by the commissioner to be consistently failing to achieve the performance goals, objectives, and measures established by the state director under Section 33.154, notwithstanding any provision of this subchapter (Community in Schools Program).

SECTION 3. Amends Section 33.155, Education Code, as follows:

Sec. 33.155. New heading: COOPERATION WITH COMMUNITIES IN SCHOOLS, INC.; AGENCY POLICIES. (a) Removes the requirement that the Department of Protective and Regulatory Services (DPRS) work with the Texas Education Agency (TEA) and CIS, Inc., to maximize the effectiveness of the CIS program.

(b) Requires the commissioner, rather than TEA and DPRS, to adopt policies concerning the responsibility, rather than role, of TEA in encouraging local business to participate in local CIS programs and to obtain information from participating school districts, the use of federal state funds available for programs of this nature to TEA, and other areas concerning the program identified by TEA. Deletes existing text requiring TEA and DPRS to agree to a memorandum of understanding to define each entity's responsibility relating to such policies. Makes conforming changes.

(c) Requires the commissioner, rather than TEA and DPRS, to adopt rules to implement the policies described by Subsection (b), rather than the memorandum, and to update the rules annually. Makes a conforming change.

SECTION 4. Amends Section 42.152, Education Code, by adding Subsection (u), as follows:

(u) Requires the commissioner, from the total amount of funds appropriated for allotments under this section, each fiscal year, to withhold an amount to be determined by the commissioner, but not less than \$30 million for prekindergarten through high school programs under Subchapter E (Community in Schools Program), Chapter 33, Education Code, and to distribute that amount as provided by Section 33.156 (Funding; Expansion of Participation). Requires the commissioner to reduce each district's tier one allotments in the same manner described for a reduction in allotments under Section 42.253 (Distribution of Foundation School Fund), Education Code, and to allocate funds to each district accordingly after deducting the amount withheld under this subsection from the total amount appropriated for this allotment under Subsection (a).

SECTION 5. Repealer: Section 33.151(1) (regarding the definition of DPRS), Education Code.

SECTION 6. Effective date: September 1, 2007.