

By: Eissler

H.B. No. 2825

A BILL TO BE ENTITLED

AN ACT

relating to compliance monitoring of school districts by the commissioner of education and the Texas Education Agency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 7, Education Code, is amended by adding Section 7.007 to read as follows:

Sec. 7.007. COMPLIANCE MONITORING OF SCHOOL DISTRICTS. (a) Notwithstanding any other provision of law, the commissioner shall limit agency monitoring under this title of school districts to:

(1) determining compliance with:

(A) federal laws and regulations; and

(B) state laws and regulations relating to special education; and

(2) maintaining the accuracy of data submitted through the Public Education Information Management System (PEIMS) for purposes of accountability under Chapter 39.

(b) This section does not prohibit the commissioner from investigating a school district for compliance with state or federal programs as provided by Sections 39.074 and 39.075 if:

(1) the commissioner identifies sufficient funds within the agency's budget to conduct the investigation;

(2) the funds identified under Subdivision (1) may be used for that purpose; and

(3) the investigation is based on an assessment of the

1 risk that the district is not in compliance with the law.

2 (c) An assessment of risk under Subsection (b) must include
3 consideration of any complaints about the district's compliance or
4 lack of compliance with the law.

5 (d) A school district or open-enrollment charter school is
6 responsible for determining the district's or school's compliance
7 with a requirement of state law that is not monitored by the
8 commissioner or agency unless the requirement is waived under
9 Section 7.056.

10 SECTION 2. Section 39.074(d), Education Code, is amended to
11 read as follows:

12 (d) Not later than the 30th day before the date on which the
13 agency will begin an on-site investigation of a district's
14 accreditation, the [The] agency shall give written notice to the
15 superintendent and the board of trustees of the [any impending]
16 investigation [of the district's accreditation].

17 SECTION 3. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2003.