

By: Shapiro

S.B. No. 900

A BILL TO BE ENTITLED

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AN ACT

relating to computation and reporting of the ratios of a school district's expenditures and personnel relating to direct student instruction.

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

SECTION 1. Subchapter A, Chapter 44, Education Code, is amended by adding Section 44.0071 to read as follows:

Sec. 44.0071. COMPUTATION OF INSTRUCTIONAL EXPENDITURES RATIO AND INSTRUCTIONAL EMPLOYEES RATIO. (a) Each fiscal year, a school district shall compute and report to the commissioner:

(1) the percentage of the district's total expenditures for the preceding fiscal year that were used to fund direct instructional activities; and

(2) the percentage of the district's full-time equivalent employees during the preceding fiscal year whose job function was to directly provide classroom instruction to students, determined by dividing the number of hours spent by employees in providing direct classroom instruction by the total number of hours worked by all district employees.

(b) At least annually a school district shall provide educators employed by the district with a list of district employees determined by the district for purposes of this section to be engaged in directly providing classroom instruction to students. The list must include the percentage of time spent by

1 each employee in directly providing classroom instruction to
2 students.

3 (c) For purposes of this section, the computation of a
4 district's expenditures used to fund direct instructional
5 activities shall include the salary, including any associated
6 employment taxes, and value of any benefits provided to any
7 district employee who directly provided classroom instruction to
8 students, but only in proportion to the percentage of time spent by
9 the employee in directly providing classroom instruction to
10 students.

11 (d) The commissioner shall adopt rules as necessary to
12 implement this section.

13 SECTION 2. Subsections (b) and (c), Section 39.052,
14 Education Code, are amended to read as follows:

15 (b) The report card shall include the following information
16 ~~[where applicable]:~~

17 (1) where applicable, the academic excellence
18 indicators adopted under Sections 39.051(b)(1) through (9);

19 (2) average class size by grade level and subject;
20 ~~[and]~~

21 (3) the administrative and instructional costs per
22 student, computed in a manner consistent with Section 44.0071; and

23 (4) the district's instructional expenditures ratio
24 and instructional employees ratio computed under Section 44.0071,
25 and the statewide average of those ratios, as determined by the
26 commissioner.

27 (c) The commissioner shall adopt rules ~~[for]~~ requiring

1 dissemination of the information required under Subsection (b)(4)
2 and appropriate class size and student performance portions of
3 campus report cards annually to the parent, guardian, conservator,
4 or other person having lawful control of each student at the campus.
5 On written request, the school district shall provide a copy of a
6 campus report card to any other party.

7 SECTION 3. Subsection (a), Section 39.182, Education Code,
8 is amended to read as follows:

9 (a) Not later than December 1 of each year, the agency shall
10 prepare and deliver to the governor, the lieutenant governor, the
11 speaker of the house of representatives, each member of the
12 legislature, the Legislative Budget Board, and the clerks of the
13 standing committees of the senate and house of representatives with
14 primary jurisdiction over the public school system a comprehensive
15 report covering the preceding school year and containing:

16 (1) an evaluation of the achievements of the state
17 educational program in relation to the statutory goals for the
18 public education system under Section 4.002;

19 (2) an evaluation of the status of education in the
20 state as reflected by the academic excellence indicators adopted
21 under Section 39.051;

22 (3) a summary compilation of overall student
23 performance on academic skills assessment instruments required by
24 Section 39.023 with the number and percentage of students exempted
25 from the administration of those instruments and the basis of the
26 exemptions, aggregated by grade level, subject area, campus, and
27 district, with appropriate interpretations and analysis, and

1 disaggregated by race, ethnicity, gender, and socioeconomic
2 status;

3 (4) a summary compilation of overall performance of
4 students placed in an alternative education program established
5 under Section 37.008 on academic skills assessment instruments
6 required by Section 39.023 with the number of those students
7 exempted from the administration of those instruments and the basis
8 of the exemptions, aggregated by district, grade level, and subject
9 area, with appropriate interpretations and analysis, and
10 disaggregated by race, ethnicity, gender, and socioeconomic
11 status;

12 (5) a summary compilation of overall performance of
13 students at risk of dropping out of school, as defined by Section
14 29.081(d), on academic skills assessment instruments required by
15 Section 39.023 with the number of those students exempted from the
16 administration of those instruments and the basis of the
17 exemptions, aggregated by district, grade level, and subject area,
18 with appropriate interpretations and analysis, and disaggregated
19 by race, ethnicity, gender, and socioeconomic status;

20 (6) an evaluation of the correlation between student
21 grades and student performance on academic skills assessment
22 instruments required by Section 39.023;

23 (7) a statement of the dropout rate of students in
24 grade levels 7 through 12, expressed in the aggregate and by grade
25 level, and a statement of the completion rates of students for grade
26 levels 9 through 12;

27 (8) a statement of:

1 (A) the completion rate of students who enter
2 grade level 9 and graduate not more than four years later;

3 (B) the completion rate of students who enter
4 grade level 9 and graduate, including students who require more
5 than four years to graduate;

6 (C) the completion rate of students who enter
7 grade level 9 and not more than four years later receive a high
8 school equivalency certificate;

9 (D) the completion rate of students who enter
10 grade level 9 and receive a high school equivalency certificate,
11 including students who require more than four years to receive a
12 certificate; and

13 (E) the number and percentage of all students who
14 have not been accounted for under Paragraph (A), (B), (C), or (D);

15 (9) a statement of the projected cross-sectional and
16 longitudinal dropout rates for grade levels 9 through 12 for the
17 next five years, assuming no state action is taken to reduce the
18 dropout rate;

19 (10) a description of a systematic, measurable plan
20 for reducing the projected cross-sectional and longitudinal
21 dropout rates to five percent or less for the 1997-1998 school year;

22 (11) a summary of the information required by Section
23 29.083 regarding grade level retention of students and information
24 concerning:

25 (A) the number and percentage of students
26 retained; and

27 (B) the performance of retained students on

1 assessment instruments required under Section 39.023(a);

2 (12) information, aggregated by district type and
3 disaggregated by race, ethnicity, gender, and socioeconomic
4 status, on:

5 (A) the number of students placed in an
6 alternative education program established under Section 37.008;

7 (B) the average length of a student's placement
8 in an alternative education program established under Section
9 37.008;

10 (C) the academic performance of students on
11 assessment instruments required under Section 39.023(a) during the
12 year preceding and during the year following placement in an
13 alternative education program; and

14 (D) the dropout rates of students who have been
15 placed in an alternative education program established under
16 Section 37.008;

17 (13) a list of each school district or campus that does
18 not satisfy performance standards, with an explanation of the
19 actions taken by the commissioner to improve student performance in
20 the district or campus and an evaluation of the results of those
21 actions;

22 (14) an evaluation of the status of the curriculum
23 taught in public schools, with recommendations for legislative
24 changes necessary to improve or modify the curriculum required by
25 Section 28.002;

26 (15) a description of all funds received by and each
27 activity and expenditure of the agency;

1 (16) a summary and analysis of the instructional
2 expenditures ratios and instructional employees ratios
3 [~~compliance~~] of school districts computed [~~with administrative~~
4 ~~cost ratios set by the commissioner~~] under Section 44.0071 [~~42.201,~~
5 ~~including any improvements and cost savings achieved by school~~
6 ~~districts~~];

7 (17) a summary of the effect of deregulation,
8 including exemptions and waivers granted under Section 7.056 or
9 39.112;

10 (18) a statement of the total number and length of
11 reports that school districts and school district employees must
12 submit to the agency, identifying which reports are required by
13 federal statute or rule, state statute, or agency rule, and a
14 summary of the agency's efforts to reduce overall reporting
15 requirements;

16 (19) a list of each school district that is not in
17 compliance with state special education requirements, including:

18 (A) the period for which the district has not
19 been in compliance;

20 (B) the manner in which the agency considered the
21 district's failure to comply in determining the district's
22 accreditation status; and

23 (C) an explanation of the actions taken by the
24 commissioner to ensure compliance and an evaluation of the results
25 of those actions;

26 (20) a comparison of the performance of
27 open-enrollment charter schools and school districts on the

1 academic excellence indicators specified in Section 39.051(b) and
2 accountability measures adopted under Section 39.051(g), with a
3 separately aggregated comparison of the performance of
4 open-enrollment charter schools predominantly serving students at
5 risk of dropping out of school, as defined by Section 29.081(d),
6 with the performance of school districts; and

7 (21) any additional information considered important
8 by the commissioner or the State Board of Education.

9 SECTION 4. Subchapter D, Chapter 42, Education Code, is
10 repealed.

11 SECTION 5. This Act takes effect September 1, 2003.

12 SECTION 6. The repeal of Subchapter D, Chapter 42,
13 Education Code, by this Act does not affect the liability of a
14 school district for excess administrative costs during the
15 2002-2003 school year that the commissioner of education is
16 entitled to recover during the 2003-2004 school year under
17 Subsection (d), Section 42.201, Education Code, as that subsection
18 existed on January 1, 2003, and the former law is continued in
19 effect for that purpose.