

By: Shapiro

S.B. No. 900

A BILL TO BE ENTITLED

1 AN ACT

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

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

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

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

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

14 (2) the percentage of the district's full-time  
15 equivalent employees during the preceding fiscal year whose only  
16 job function was to directly provide classroom instruction to  
17 students.

18 (b) At least annually a school district shall provide  
19 educators employed by the district with a list of district  
20 employees determined by the district for purposes of this section  
21 to be engaged only in providing classroom instruction to students.

22 (c) For purposes of this section:

23 (1) a district's total expenditures include amounts  
24 spent on physical plant construction or operation; and

1           (2) the computation of a district's expenditures used  
2 to fund direct instructional activities may include the salary,  
3 including any associated employment taxes, and value of any  
4 benefits provided to a district employee only if the employee's  
5 only job function was to provide classroom instruction to students.

6           (d) The commissioner shall adopt rules as necessary to  
7 implement this section.

8           SECTION 2. Sections 39.052(b) and (c), Education Code, are  
9 amended to read as follows:

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

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

14           (2) average class size by grade level and subject;  
15 ~~[and]~~

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

18           (4) the district's instructional expenditures ratio  
19 and instructional employees ratio computed under Section 44.0071,  
20 and the statewide average of those ratios, as determined by the  
21 commissioner.

22           (c) The commissioner shall adopt rules ~~[for]~~ requiring  
23 dissemination of the information required under Subsection (b)(4)  
24 and appropriate class size and student performance portions of  
25 campus report cards annually to the parent, guardian, conservator,  
26 or other person having lawful control of each student at the campus.  
27 On written request, the school district shall provide a copy of a

1 campus report card to any other party.

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

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

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

14 (2) an evaluation of the status of education in the  
15 state as reflected by the academic excellence indicators adopted  
16 under Section 39.051;

17 (3) a summary compilation of overall student  
18 performance on academic skills assessment instruments required by  
19 Section 39.023 with the number and percentage of students exempted  
20 from the administration of those instruments and the basis of the  
21 exemptions, aggregated by grade level, subject area, campus, and  
22 district, with appropriate interpretations and analysis, and  
23 disaggregated by race, ethnicity, gender, and socioeconomic  
24 status;

25 (4) a summary compilation of overall performance of  
26 students placed in an alternative education program established  
27 under Section 37.008 on academic skills assessment instruments

1 required by Section 39.023 with the number of those students  
2 exempted from the administration of those instruments and the basis  
3 of the exemptions, aggregated by district, grade level, and subject  
4 area, with appropriate interpretations and analysis, and  
5 disaggregated by race, ethnicity, gender, and socioeconomic  
6 status;

7 (5) a summary compilation of overall performance of  
8 students at risk of dropping out of school, as defined by Section  
9 29.081(d), on academic skills assessment instruments required by  
10 Section 39.023 with the number of those students exempted from the  
11 administration of those instruments and the basis of the  
12 exemptions, aggregated by district, grade level, and subject area,  
13 with appropriate interpretations and analysis, and disaggregated  
14 by race, ethnicity, gender, and socioeconomic status;

15 (6) an evaluation of the correlation between student  
16 grades and student performance on academic skills assessment  
17 instruments required by Section 39.023;

18 (7) a statement of the dropout rate of students in  
19 grade levels 7 through 12, expressed in the aggregate and by grade  
20 level, and a statement of the completion rates of students for grade  
21 levels 9 through 12;

22 (8) a statement of:

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

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

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

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

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

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

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

17 (11) a summary of the information required by Section  
18 29.083 regarding grade level retention of students and information  
19 concerning:

20 (A) the number and percentage of students  
21 retained; and

22 (B) the performance of retained students on  
23 assessment instruments required under Section 39.023(a);

24 (12) information, aggregated by district type and  
25 disaggregated by race, ethnicity, gender, and socioeconomic  
26 status, on:

27 (A) the number of students placed in an

1 alternative education program established under Section 37.008;

2 (B) the average length of a student's placement  
3 in an alternative education program established under Section  
4 37.008;

5 (C) the academic performance of students on  
6 assessment instruments required under Section 39.023(a) during the  
7 year preceding and during the year following placement in an  
8 alternative education program; and

9 (D) the dropout rates of students who have been  
10 placed in an alternative education program established under  
11 Section 37.008;

12 (13) a list of each school district or campus that does  
13 not satisfy performance standards, with an explanation of the  
14 actions taken by the commissioner to improve student performance in  
15 the district or campus and an evaluation of the results of those  
16 actions;

17 (14) an evaluation of the status of the curriculum  
18 taught in public schools, with recommendations for legislative  
19 changes necessary to improve or modify the curriculum required by  
20 Section 28.002;

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

23 (16) a summary and analysis of the instructional  
24 expenditures ratios and instructional employees ratios  
25 [compliance] of school districts computed ~~[with administrative~~  
26 ~~cost ratios set by the commissioner]~~ under Section 44.0071 ~~[42.201,~~  
27 ~~including any improvements and cost savings achieved by school~~

1 ~~districts]~~;

2 (17) a summary of the effect of deregulation,  
3 including exemptions and waivers granted under Section 7.056 or  
4 39.112;

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

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

13 (A) the period for which the district has not  
14 been in compliance;

15 (B) the manner in which the agency considered the  
16 district's failure to comply in determining the district's  
17 accreditation status; and

18 (C) an explanation of the actions taken by the  
19 commissioner to ensure compliance and an evaluation of the results  
20 of those actions;

21 (20) a comparison of the performance of  
22 open-enrollment charter schools and school districts on the  
23 academic excellence indicators specified in Section 39.051(b) and  
24 accountability measures adopted under Section 39.051(g), with a  
25 separately aggregated comparison of the performance of  
26 open-enrollment charter schools predominantly serving students at  
27 risk of dropping out of school, as defined by Section 29.081(d),

1 with the performance of school districts; and

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

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

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

7 SECTION 6. The repeal of Subchapter D, Chapter 42,  
8 Education Code, by this Act does not affect the liability of a  
9 school district for excess administrative costs during the  
10 2002-2003 school year that the commissioner of education is  
11 entitled to recover during the 2003-2004 school year under Section  
12 42.201(d), Education Code, as that section existed on January 1,  
13 2003, and the former law is continued in effect for that purpose.