

By: Shapiro

S.B. No. 929

A BILL TO BE ENTITLED

AN ACT

relating to regional education service centers.

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

SECTION 1. Section 8.001(c), Education Code, is amended to read as follows:

(c) The commissioner may decide any matter concerning the operation or administration of the regional education service centers, including:

(1) the number and location of centers; and

(2) the regional boundaries of centers[~~, and~~

~~[(3) the allocation among centers of state and federal funds administered by the agency].~~

SECTION 2. Section 8.002, Education Code, is amended to read as follows:

Sec. 8.002. PURPOSE. Regional education service centers shall:

(1) assist school districts in improving student performance in each region of the system; and

(2) enable school districts to operate more efficiently and economically[~~, and~~

~~[(3) implement initiatives assigned by the legislature or the commissioner].~~

SECTION 3. Section 8.003(e), Education Code, is amended to read as follows:

1 (e) Each regional education service center board of
2 directors shall develop policies to ensure the sound management and
3 operation of the center consistent with Section 8.002. Subject to
4 approval of the board of directors, regional education service
5 centers shall offer programs and activities to school districts and
6 campuses under Sections 8.051[~~7-8.052,~~] and 8.053.

7 SECTION 4. Subchapter A, Chapter 8, Education Code, is
8 amended by adding Section 8.008 to read as follows:

9 Sec. 8.008. APPLICABILITY OF CERTAIN LAWS RELATING TO
10 POLITICAL ACTIVITIES. A regional education service center and each
11 center employee is subject to Chapter 556, Government Code, and for
12 purposes of that chapter:

- 13 (1) the center is considered to be a state agency; and
14 (2) each center employee is considered to be a state
15 employee.

16 SECTION 5. Section 8.051(a), Education Code, is amended to
17 read as follows:

18 (a) Each regional education service center shall [~~use funds~~
19 ~~distributed to the center under Section 8.121 to~~] develop,
20 maintain, and deliver services identified under this section to
21 improve student and school district performance.

22 SECTION 6. Section 8.053, Education Code, is amended to
23 read as follows:

24 Sec. 8.053. ADDITIONAL SERVICES. In addition to the
25 services provided under Section 8.051 [~~and the initiatives~~
26 ~~implemented under Section 8.052~~], a regional education service
27 center may:

1 (1) offer any service requested and purchased by any
2 school district or campus in the state; and

3 (2) contract with a public or private entity for
4 services under this subchapter, including the provision of
5 continuing education courses and programs for educators.

6 SECTION 7. Subchapter B, Chapter 8, Education Code, is
7 amended by adding Section 8.056 to read as follows:

8 Sec. 8.056. LIMITATION ON COMPENSATION FOR CERTAIN
9 SERVICES. A regional education service center that acts as a fiscal
10 agent or broker in connection with an agreement between two school
11 districts under Subchapter E, Chapter 41, may not, unless
12 authorized in writing by the district receiving transferred funds
13 in accordance with the agreement:

14 (1) be compensated by the districts in an amount that
15 exceeds the administrative cost of providing the service; or

16 (2) otherwise retain for use by the center any amount
17 other than the compensation permitted under Subdivision (1) from
18 the funds transferred between the districts in accordance with the
19 agreement.

20 SECTION 8. Section 8.101, Education Code, is amended to
21 read as follows:

22 Sec. 8.101. PERFORMANCE STANDARDS AND INDICATORS. The
23 commissioner shall establish performance standards and indicators
24 for regional education service centers that measure the achievement
25 of the objectives in Section 8.002. Performance standards and
26 indicators must include the following:

27 (1) student performance in districts served;

1 (2) district effectiveness and efficiency in
2 districts served resulting from technical assistance and program
3 support;

4 (3) direct services provided or regionally shared
5 services arranged by the service center which produce more
6 economical and efficient school operations; and

7 (4) direct services provided or regionally shared
8 services arranged by the service center which provide for
9 assistance in core services[; ~~and~~

10 [~~(5) grants received for implementation of state~~
11 ~~initiatives and the results achieved by the service center under~~
12 ~~the terms of the grant contract].~~

13 SECTION 9. Section 8.121, Education Code, is amended to
14 read as follows:

15 Sec. 8.121. STATE FUNDING [~~FOR CORE SERVICES AND SERVICES~~
16 ~~TO IMPROVE PERFORMANCE~~]. (a) [~~Regional education service centers~~
17 ~~receive state financial support for services provided under Section~~
18 ~~8.051 from money appropriated for the Foundation School Program.]~~
19 The commissioner may not use [~~shall distribute~~] money appropriated
20 for the Foundation School Program to provide regional education
21 service centers with financial support for services provided under
22 Section 8.051 [~~each regional education service center for basic~~
23 ~~costs of providing these services according to an annual allotment~~
24 ~~set by the commissioner based on:~~

25 [~~(1) the minimum amount of money necessary for the~~
26 ~~operation of a center;~~

27 [~~(2) an additional amount of money that reflects the~~

1 ~~size and number of campuses served by the center under Section~~
2 ~~8.051; and~~

3 ~~[(3) an additional amount of money that reflects the~~
4 ~~impact of the geographic size of a center's service area on the cost~~
5 ~~of providing services under Section 8.051].~~

6 (b) Except as provided by Subsection (c), any money
7 appropriated by the legislature for services provided by regional
8 education service centers or other providers, including federal
9 funds subject to appropriation by the legislature, must be
10 distributed directly to school districts for use by the districts
11 in obtaining the services from centers or other providers. The
12 commissioner shall determine the method by which money appropriated
13 under this section is distributed.

14 (c) A school district may authorize the commissioner to
15 distribute directly to a regional education service center the
16 amount of funds that would otherwise be distributed to the district
17 in accordance with Subsection (b). The district may rescind its
18 authorization at any time, and the commissioner shall promptly
19 resume distributing funds directly to the district. [~~Each regional~~
20 ~~education service center shall use money distributed to it under~~
21 ~~this section for the provision of core services required under~~
22 ~~Section 8.051 or for payment of necessary administrative and~~
23 ~~operational expenses of the center related to the provision of~~
24 ~~those services.]~~

25 SECTION 10. (a) The comptroller shall contract with a
26 consultant for a comprehensive review of regional education service
27 centers in this state. The review must focus on:

1 (1) identifying core services, as described by Section
2 8.051(d), Education Code, and other services provided by regional
3 education service centers; and

4 (2) evaluating current and potential funding
5 mechanisms for regional education service centers.

6 (b) Not later than December 1, 2004, the comptroller shall
7 submit a report to the legislature concerning the results of the
8 review required by Subsection (a) of this section. The report must
9 include recommendations for a regional education service center
10 funding mechanism under which at least 80 percent of center funds
11 are derived from fee-for-service contracts with school districts.

12 SECTION 11. Sections 8.052, 8.122, 8.123, and 8.124,
13 Education Code, are repealed.

14 SECTION 12. This Act takes effect September 1, 2003.