

BILL ANALYSIS

S.B. 189
By: Zaffirini
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Several issues relating to the statutes governing the Texas School for the Blind and Visually Impaired (TSBVI) require clarification. Current law is silent with respect to the ability of TSBVI to charge for assessment services provided at the request of school districts or other educational entities, although such authority is granted in the General Appropriations Act. In addition, TSBVI has a difficult time finding qualified teachers and other employees to work with students with visual impairments and other disabilities, so the school needs additional flexibility in hiring teachers and setting salaries. Senate Bill 189 authorizes TSBVI to charge a reasonable fee for assessment services provided at the request of school districts or other educational entities and modifies provisions regarding the employment contracts and salary structure for TSBVI employees.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

Senate Bill 189 amends the Education Code to authorize the Texas School for the Blind and Visually Impaired (TSBVI) to conduct an assessment for a reasonable fee if a school district or other educational entity requests an assessment of a student's educational or related visual impairment needs.

S.B. 189 provides that the superintendent's salary is an annual salary.

S.B. 189 provides that certain employees of TSBVI are not subject to the provisions of the Government Code that prohibit an agency from contracting with a former employee within the first year after leaving the agency's employment.

S.B. 189 provides that the salary structure for TSBVI employees includes assignment stipends. The bill authorizes TSBVI employees to be paid their designated salary in twelve monthly installments, rather than 12 equal monthly installments, and requires these employees to work the hours established by the superintendent, rather than by the TSBVI Board. The bill authorizes TSBVI to pay employees employed in a supplemental program a salary that, on a daily-rate basis, does not exceed the salary paid by the Austin Independent School District to a comparable employee.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2005.