

## **BILL ANALYSIS**

S.B. 190  
By: Zaffirini  
Public Education  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

The Texas School for the Deaf (TSD) is established to provide specialized support for students who are deaf or hard of hearing. Several issues relating to the statutes governing TSD require clarification. Current law is silent with respect to the ability of TSD to charge for certain 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, TSD has a difficult time finding qualified teachers and other employees to work with students; therefore it is important that TSD have additional flexibility in hiring teachers and setting salaries.

Senate Bill 190 authorizes TSD 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 TSD employees. The bill also clarifies that TSD serves students with multiple disabilities but is not intended to serve students whose needs are appropriately addressed in a home or hospital setting or a residential treatment facility; or students whose primary, ongoing needs are related to a severe or profound emotional, behavioral, or cognitive deficit.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **ANALYSIS**

Senate Bill 190 amends the Education Code to stipulate that the Texas School for the Deaf is not intended to serve students whose needs are appropriately addressed in a home or hospital setting or a residential treatment facility or students whose primary, ongoing needs are related to a severe or profound emotional, behavioral, or cognitive deficit.

**Deleted:** The bill deletes existing text requiring TSD to provide services to certain students who have a disability in addition to being deaf or hard of hearing.

S.B. 190 authorizes TSD, if a school district or another educational entity requests an assessment of a student's educational or related needs related to hearing impairment, to conduct an assessment and charge a reasonable fee for the assessment.

S.B. 190 prohibits the annual salary of the superintendent of TSD from exceeding 120 percent of the annual salary of the highest paid instructional administrator at the school. The bill removes the provision requiring the salary to be based on not more than 230 days of service.

S.B. 190 provides that certain employees of TSD 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. The bill provides that the salary structure for TSD employees includes assignment stipends. The bill authorizes TSD 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 TSD board.

S.B. 190 authorizes TSD to pay new employees who are filling a difficult to fill position a salary supplement not to exceed any salary supplement paid by the Austin Independent School District (AISD) to an employee employed in a comparable position. The bill authorizes TSD 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.

S.B. 190 79(R)

**EFFECTIVE DATE**

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