

By: Branch

H.B. No. 827

Substitute the following for H.B. No. 827:

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C.S.H.B. No. 827

A BILL TO BE ENTITLED

AN ACT

relating to the designation of research centers to evaluate state or federally funded education programs and the sharing of student data.

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

SECTION 1. Chapter 1, Education Code, is amended by adding Section 1.005 to read as follows:

Sec. 1.005. EDUCATION RESEARCH CENTERS; SHARING STUDENT INFORMATION. (a) In this section, "center" means a center for education research authorized by this section.

(b) The commissioner of education and the commissioner of higher education, in consultation with the State Board for Educator Certification, may establish not more than three centers for education research for conducting research for the benefit of education in this state, including research regarding the impact of federal education programs.

(c) A center may be established as part of:

(1) the Texas Education Agency;

(2) the Texas Higher Education Coordinating Board; or

(3) a public junior college, public senior college or university, or public state college, as those terms are defined by Section 61.003.

(d) A center may be operated under a memorandum of understanding between the commissioner of education, the

1 commissioner of higher education, and the governing board of an
2 educational institution described by Subsection (c)(3). The
3 memorandum of understanding must require the commissioner of
4 education, or a person designated by the commissioner, and the
5 commissioner of higher education, or a person designated by the
6 commissioner, to provide direct, joint supervision of the center
7 under this section.

8 (e) In conducting research under this section, a center:

9 (1) may use data on student performance, including
10 data that is confidential under the Family Educational Rights and
11 Privacy Act of 1974 (20 U.S.C. Section 1232g), the center has
12 collected from the Texas Education Agency, the Texas Higher
13 Education Coordinating Board, the State Board for Educator
14 Certification, any public or private institution of higher
15 education, and any school district; and

16 (2) shall comply with rules adopted by the
17 commissioner of education and the commissioner of higher education
18 to protect the confidentiality of student information, including
19 rules establishing procedures to ensure that confidential student
20 information is not duplicated or removed from a center in an
21 unauthorized manner.

22 (f) The commissioner of education and the commissioner of
23 higher education may:

24 (1) accept gifts and grants to be used in operating one
25 or more centers; and

26 (2) by rule impose reasonable fees, as appropriate,
27 for the use of a center's research, resources, or facilities.

1 (g) This section does not authorize the disclosure of
2 student information that may not be disclosed under the Family
3 Educational Rights and Privacy Act of 1974 (20 U.S.C. Section
4 1232g).

5 (h) The commissioner of education and the commissioner of
6 higher education shall adopt rules as necessary to implement this
7 section.

8 SECTION 2. This Act takes effect September 1, 2005.