

AN ACT

relating to the operation of the Texas School for the Blind and Visually Impaired.

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

SECTION 1. Section 30.021, Education Code, is amended by adding Subsection (g) to read as follows:

(g) If a school district or another educational entity requests an assessment of a student's educational or related needs related to visual impairment, the school may conduct an assessment and charge a reasonable fee for the assessment.

SECTION 2. Subsection (d), Section 30.023, Education Code, is amended to read as follows:

(d) The board shall annually establish the superintendent's salary. The annual salary [~~must be based on not more than 230 days of service and~~] may not exceed 120 percent of the annual salary of the highest paid instructional administrator at the school.

SECTION 3. Section 30.024, Education Code, is amended by amending Subsection (b) and adding Subsection (g) to read as follows:

(b) The governing board of the school may enter into an employment contract with any employee who provides, or supervises any employee who provides, direct and regular educational services to students or who provides other professional educational services. An employee employed under this subsection is not

1 subject to Section 2252.901, Government Code. Each teacher shall  
2 be employed under a term contract as provided by Subchapter E,  
3 Chapter 21, or under a probationary contract as provided by  
4 Subchapter C, Chapter 21. An employee employed under a contract  
5 under this subsection:

6 (1) shall be paid in accordance with a salary  
7 structure adopted by the superintendent with the concurrence of the  
8 board that provides salaries, including assignment stipends,  
9 equal, on a daily-rate basis, to salaries, including assignment  
10 stipends, paid to employees employed in comparable positions by the  
11 Austin Independent School District;

12 (2) is not eligible for longevity pay under Subchapter  
13 D, Chapter 659, Government Code, and is not entitled to a paid day  
14 off from work on any national or state holiday;

15 (3) is eligible for sick leave accrual under the  
16 General Appropriations Act in each month in which at least one day  
17 of the month is included in the term of the employment contract and  
18 in any other month in which work is performed or paid leave is  
19 taken;

20 (4) may be permitted by the board to take paid time off  
21 from work during the term of the employment contract for personal  
22 reasons as designated by the board, but the paid time off may not  
23 exceed three days per contract term and may not be carried forward  
24 from one contract term to a subsequent contract term;

25 (5) may be permitted by the board to be paid the salary  
26 designated in the employment contract in 12 [~~equal~~] monthly  
27 installments; and

1           (6) shall work the hours established by the  
2 superintendent [~~board~~].

3           (g) The school may pay to a teacher or employee who provides  
4 services or supervises an employee who provides services as  
5 described by Subsection (b) and who is employed in a supplemental  
6 program under Section 30.021(c) a salary that, on a daily-rate  
7 basis, does not exceed the salary paid by the Austin Independent  
8 School District to an employee employed in a comparable position  
9 during the regular school year.

10           SECTION 4. This Act takes effect immediately if it receives  
11 a vote of two-thirds of all the members elected to each house, as  
12 provided by Section 39, Article III, Texas Constitution. If this  
13 Act does not receive the vote necessary for immediate effect, this  
14 Act takes effect September 1, 2005.

S.B. No. 189

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 189 passed the Senate on April 7, 2005, by the following vote: Yeas 31, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 189 passed the House on May 25, 2005, by the following vote: Yeas 144, Nays 0, two present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor