

1-1 By: Zaffirini S.B. No. 189  
1-2 (In the Senate - Filed January 14, 2005; February 1, 2005,  
1-3 read first time and referred to Committee on Education;  
1-4 March 29, 2005, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 7, Nays 0; March 29, 2005,  
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 189 By: West

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to the operation of the Texas School for the Blind and  
1-11 Visually Impaired.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 30.021, Education Code, is amended by  
1-14 adding Subsection (g) to read as follows:

1-15 (g) If a school district or another educational entity  
1-16 requests an assessment of a student's educational or related needs  
1-17 related to visual impairment, the school may conduct an assessment  
1-18 and charge a reasonable fee for the assessment.

1-19 SECTION 2. Subsection (d), Section 30.023, Education Code,  
1-20 is amended to read as follows:

1-21 (d) The board shall annually establish the superintendent's  
1-22 salary. The annual salary [~~must be based on not more than 230 days~~  
1-23 ~~of service and~~] may not exceed 120 percent of the annual salary of  
1-24 the highest paid instructional administrator at the school.

1-25 SECTION 3. Section 30.024, Education Code, is amended by  
1-26 amending Subsection (b) and adding Subsection (g) to read as  
1-27 follows:

1-28 (b) The governing board of the school may enter into an  
1-29 employment contract with any employee who provides, or supervises  
1-30 any employee who provides, direct and regular educational services  
1-31 to students or who provides other professional educational  
1-32 services. An employee employed under this subsection is not  
1-33 subject to Section 2252.901, Government Code. Each teacher shall  
1-34 be employed under a term contract as provided by Subchapter E,  
1-35 Chapter 21, or under a probationary contract as provided by  
1-36 Subchapter C, Chapter 21. An employee employed under a contract  
1-37 under this subsection:

1-38 (1) shall be paid in accordance with a salary  
1-39 structure adopted by the superintendent with the concurrence of the  
1-40 board that provides salaries, including assignment stipends,  
1-41 equal, on a daily-rate basis, to salaries, including assignment  
1-42 stipends, paid to employees employed in comparable positions by the  
1-43 Austin Independent School District;

1-44 (2) is not eligible for longevity pay under Subchapter  
1-45 D, Chapter 659, Government Code, and is not entitled to a paid day  
1-46 off from work on any national or state holiday;

1-47 (3) is eligible for sick leave accrual under the  
1-48 General Appropriations Act in each month in which at least one day  
1-49 of the month is included in the term of the employment contract and  
1-50 in any other month in which work is performed or paid leave is  
1-51 taken;

1-52 (4) may be permitted by the board to take paid time off  
1-53 from work during the term of the employment contract for personal  
1-54 reasons as designated by the board, but the paid time off may not  
1-55 exceed three days per contract term and may not be carried forward  
1-56 from one contract term to a subsequent contract term;

1-57 (5) may be permitted by the board to be paid the salary  
1-58 designated in the employment contract in 12 [~~equal~~] monthly  
1-59 installments; and

1-60 (6) shall work the hours established by the  
1-61 superintendent [board].

1-62 (g) The school may pay to a teacher or employee who provides  
1-63 services or supervises an employee who provides services as

2-1 described by Subsection (b) and who is employed in a supplemental  
2-2 program under Section 30.021(c) a salary that, on a daily-rate  
2-3 basis, does not exceed the salary paid by the Austin Independent  
2-4 School District to an employee employed in a comparable position  
2-5 during the regular school year.

2-6 SECTION 4. This Act takes effect immediately if it receives  
2-7 a vote of two-thirds of all the members elected to each house, as  
2-8 provided by Section 39, Article III, Texas Constitution. If this  
2-9 Act does not receive the vote necessary for immediate effect, this  
2-10 Act takes effect September 1, 2005.

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