

By: Zaffirini

S.B. No. 190

A BILL TO BE ENTITLED

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AN ACT

relating to the operation of the Texas School for the Deaf.

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

SECTION 1. Section 30.051, Education Code, is amended by amending Subsection (a) and adding Subsection (e) to read as follows:

(a) The Texas School for the Deaf is a state agency established to provide educational services to persons who are 21 years of age or younger on September 1 of any school year and who are deaf or hard of hearing and who may have one or more other disabilities. The school shall provide[+]

~~[(1)]~~ comprehensive educational services, on a day or residential basis, and[+]

~~[(2)]~~ short-term services to allow a student to better achieve educational results from services available in the community. The school is not intended to serve:

(1) students whose needs are appropriately addressed in a home or hospital setting or a residential treatment facility;
or

(2) students whose primary, ongoing needs are related to a severe or profound emotional, behavioral, or cognitive deficit[+and

~~[(3) services for any student who is deaf or hard of hearing and also has an additional disability and who requires a~~

1 ~~specialized support program but does not require a residential~~
2 ~~treatment facility].~~

3 (e) If a school district or another educational entity
4 requests an assessment of a student's educational or related needs
5 related to hearing impairment, the school may conduct an assessment
6 and charge a reasonable fee for the assessment.

7 SECTION 2. Subsection (d), Section 30.053, Education Code,
8 is amended to read as follows:

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

13 SECTION 3. Section 30.055, Education Code, is amended by
14 amending Subsection (b) and adding Subsection (g) to read as
15 follows:

16 (b) The governing board of the school may enter into an
17 employment contract with any employee who provides, or supervises
18 any employee who provides, direct and regular educational services
19 to students or who provides other professional, educational
20 services. An employee employed under this subsection is not
21 subject to Section 2252.901, Government Code. Each teacher shall
22 be employed under a term contract as provided by Subchapter E,
23 Chapter 21, or under a probationary contract as provided by
24 Subchapter C, Chapter 21. An employee employed under a contract
25 under this subsection:

26 (1) shall be paid in accordance with a salary
27 structure adopted by the superintendent with the concurrence of the

1 board that provides salaries, including assignment stipends,
2 equal, on a daily-rate basis, to salaries, including assignment
3 stipends, paid to employees employed in comparable positions by the
4 Austin Independent School District;

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

8 (3) is eligible for sick leave accrual under the
9 General Appropriations Act in each month in which at least one day
10 of the month is included in the term of the employment contract and
11 in any other month in which work is performed or paid leave is
12 taken;

13 (4) may be permitted by the board to use a maximum of
14 four days per contract term of accrued sick leave for personal
15 reasons as designated by the board but the number of sick leave days
16 not used for personal reasons during a contract term may not be
17 carried forward to a subsequent contract term for use as personal
18 leave;

19 (5) shall be paid the salary designated in the
20 employment contract in 12 [~~equal~~] monthly installments if the
21 employee chooses to be paid in that manner; [~~and~~]

22 (6) shall work the hours established by the
23 superintendent; and

24 (7) in addition to the contract salary received during
25 the employee's first year of employment with the school and for the
26 purpose of reducing a vacancy in a position that is difficult to
27 fill because of the specialized nature and the limited number of

1 qualified applicants, may be paid a salary supplement, not to
2 exceed any salary supplement paid by the Austin Independent School
3 District to an employee employed in a comparable position [board].

4 (g) The school may pay to a teacher or employee who provides
5 services or supervises an employee who provides services as
6 described by Subsection (b) and who is employed to provide
7 short-term services under Section 30.051(a) a salary that, on a
8 daily-rate basis, does not exceed the salary paid by the Austin
9 Independent School District to an employee employed in a comparable
10 position during the regular school year.

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