

By: Shapiro

S.B. No. 1393

A BILL TO BE ENTITLED

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AN ACT

relating to the accountability of regional education service centers.

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

SECTION 1. Section 8.103, Education Code, is amended to read as follows:

Sec. 8.103. ANNUAL EVALUATION. (a) The commissioner shall conduct an annual evaluation of each executive director and regional education service center. Each evaluation must include:

(1) an audit of the center's finances;

(2) a review of the center's performance on the indicators adopted under Section 8.101;

(3) a review of client satisfaction with services provided under Subchapter B; ~~and~~

(4) a survey of the center's board of directors concerning the performance of the center's executive director;

(5) a review of:

(A) the number of programs offered by the center to improve student performance on assessment instruments administered under Section 39.023; and

(B) the attendance rate at each program described by Paragraph (A) during each year of the preceding two years;

(6) a review of the center's performance on four goals established by the center for improving the center's performance;

1 and

2 (7) a review of any other factor the commissioner
3 determines to be appropriate.

4 (b) The agency shall post the results of an evaluation
5 conducted under this section on the agency's Internet website.

6 SECTION 2. Subchapter C, Chapter 8, Education Code, is
7 amended by adding Section 8.1031 to read as follows:

8 Sec. 8.1031. RATING SYSTEM. (a) The commissioner shall
9 establish a system for rating regional education service centers on
10 the basis of the results of evaluations conducted under Section
11 8.103.

12 (b) The rating system must include a minimum level of
13 performance that a regional education service center is expected to
14 achieve on each area evaluated under Section 8.103 and on the
15 overall evaluation. A center that does not meet the minimum level
16 of overall performance is considered to be low-performing.

17 SECTION 3. Section 8.104, Education Code, is amended to
18 read as follows:

19 Sec. 8.104. SANCTIONS. (a) The commissioner shall develop
20 a system of corrective actions to require of a regional education
21 service center that the commissioner determines to be
22 low-performing [~~deficient in an accountability measure~~] under
23 Section 8.1031 [~~8.103~~].

24 (b) The actions must include, in increasing order of
25 severity:

- 26 (1) conducting an on-site investigation of the center;
27 (2) requiring the center to send notice [~~of each~~

1 ~~deficiency]~~ to each school district and campus in the center's
2 region or served by the center the previous year concerning any area
3 of performance, including overall performance, that is below the
4 minimum level of performance established for that area under
5 Section 8.1031; and

6 (3) requiring the center to prepare for the
7 commissioner's approval a plan to address each area of performance
8 that is below the minimum level of performance established for that
9 area under Section 8.1031 [~~deficiency;~~

10 [~~(4) appointing a master to oversee the operations of~~
11 ~~the center;~~

12 [~~(5) replacing the executive director or board of~~
13 ~~directors; and~~

14 [~~(6) in the case of deficient performance in two~~
15 ~~consecutive years, closing the center]~~.

16 (c) In addition to the actions required under Subsection
17 (b), the commissioner shall take the following actions:

18 (1) for a regional education service center that has
19 been low-performing for one school year, place the center on
20 probation;

21 (2) for a regional education service center that has
22 been low-performing for two consecutive school years, continue the
23 center's probation and:

24 (A) withhold any state money to which the center
25 is otherwise entitled; and

26 (B) distribute the money withheld to school
27 districts in the region that the center serves; and

1 (3) for a regional education service center that has
2 been low-performing for three consecutive school years:

3 (A) both:

4 (i) appoint a master to oversee the
5 operations of the center; and

6 (ii) replace the executive director or
7 board of directors; or

8 (B) order the closure of the center.

9 SECTION 4. (a) As soon as practicable after the effective
10 date of this Act, the commissioner of education shall establish a
11 rating system for regional education service centers as required by
12 Section 8.1031, Education Code, as added by this Act.

13 (b) The Texas Education Agency shall begin rating regional
14 education service centers as required by Section 8.1031, Education
15 Code, as added by this Act, beginning with the 2006-2007 school
16 year.

17 (c) The commissioner of education may not take an action
18 under Section 8.104, Education Code, as amended by this Act, based
19 on the performance of a regional education service center for the
20 2005-2006 school year or an earlier school year.

21 SECTION 5. This Act takes effect immediately if it receives
22 a vote of two-thirds of all the members elected to each house, as
23 provided by Section 39, Article III, Texas Constitution. If this
24 Act does not receive the vote necessary for immediate effect, this
25 Act takes effect September 1, 2005.