

By: Shapiro

S.B. No. 1393

A BILL TO BE ENTITLED

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 8.101, Education Code, is amended to read as follows:

Sec. 8.101. PERFORMANCE STANDARDS AND INDICATORS. (a) The commissioner shall establish performance standards and indicators for regional education service centers that measure the achievement of the objectives in Section 8.002. Performance standards and indicators must include the following:

(1) student performance in districts served, including student performance on assessment instruments administered under Section 39.023;

(2) district effectiveness and efficiency in districts served resulting from technical assistance and program support;

(3) direct services provided or regionally shared services arranged by the service center which produce more economical and efficient school operations;

(4) direct services provided or regionally shared services arranged by the service center which provide for assistance in core services; and

(5) grants received for implementation of state

1 initiatives and the results achieved by the service center under
2 the terms of the grant contract.

3 (b) The commissioner shall establish a system of uniform
4 indicators by which to measure a regional education service
5 center's financial performance.

6 SECTION 2. Section 8.103, Education Code, is amended to
7 read as follows:

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

11 (1) an audit of the center's finances, including a
12 review of the center's financial performance on the indicators
13 adopted under Section 8.101(b);

14 (2) a review of the center's performance on the
15 indicators adopted under Section 8.101(a) [~~8.101~~];

16 (3) a review of client satisfaction with services
17 provided under Subchapter B;

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

20 (5) a review of:

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

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

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

1 and

2 (7) [~~(4)~~] a review of any other factor the
3 commissioner 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 3. 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 4. 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;

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; and

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:

23 (A) continue the center's probation; and

24 (B) if the center's low performance is based
25 wholly or partly on unsatisfactory student performance on
26 assessment instruments administered under Section 39.023:

27 (i) withhold any money to which the center

1 is otherwise entitled for providing services relating to the
2 administration of or the improvement of student performance on
3 those assessment instruments; and

4 (ii) distribute the money withheld to
5 school districts in the region that the center serves; and

6 (3) for a regional education service center that has
7 been low-performing for three consecutive school years, close the
8 center.

9 SECTION 5. (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 6. 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.