

1-1 By: Shapiro S.B. No. 1393
1-2 (In the Senate - Filed March 10, 2005; March 21, 2005, read
1-3 first time and referred to Committee on Education; April 18, 2005,
1-4 reported adversely, with favorable Committee Substitute by the
1-5 following vote: Yeas 7, Nays 0; April 18, 2005, sent to printer.)

1-6 COMMITTEE SUBSTITUTE FOR S.B. No. 1393 By: Shapiro

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to the accountability of regional education service
1-10 centers.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 8.103, Education Code, is amended to
1-13 read as follows:

1-14 Sec. 8.103. ANNUAL EVALUATION. (a) The commissioner shall
1-15 conduct an annual evaluation of each executive director and
1-16 regional education service center. Each evaluation must include:

1-17 (1) an audit of the center's finances;

1-18 (2) a review of the center's performance on the
1-19 indicators adopted under Section 8.101;

1-20 (3) a review of client satisfaction with services
1-21 provided under Subchapter B; ~~and~~

1-22 (4) a survey of the center's board of directors
1-23 concerning the performance of the center's executive director;

1-24 (5) a review of:

1-25 (A) the number of programs offered by the center
1-26 to improve student performance on assessment instruments
1-27 administered under Section 39.023; and

1-28 (B) the attendance rate at each program described
1-29 by Paragraph (A) during each year of the preceding two years;

1-30 (6) a review of the center's performance on four goals
1-31 established by the center for improving the center's performance;
1-32 and

1-33 (7) a review of any other factor the commissioner
1-34 determines to be appropriate.

1-35 (b) The agency shall post the results of an evaluation
1-36 conducted under this section on the agency's Internet website.

1-37 SECTION 2. Subchapter C, Chapter 8, Education Code, is
1-38 amended by adding Section 8.1031 to read as follows:

1-39 Sec. 8.1031. RATING SYSTEM. (a) The commissioner shall
1-40 establish a system for rating regional education service centers on
1-41 the basis of the results of evaluations conducted under Section
1-42 8.103.

1-43 (b) The rating system must include a minimum level of
1-44 performance that a regional education service center is expected to
1-45 achieve on each area evaluated under Section 8.103 and on the
1-46 overall evaluation. A center that does not meet the minimum level
1-47 of overall performance is considered to be low-performing.

1-48 SECTION 3. Section 8.104, Education Code, is amended to
1-49 read as follows:

1-50 Sec. 8.104. SANCTIONS. (a) The commissioner shall develop
1-51 a system of corrective actions to require of a regional education
1-52 service center that the commissioner determines to be
1-53 low-performing [~~deficient in an accountability measure~~] under
1-54 Section 8.1031 [~~8.103~~].

1-55 (b) The actions must include, in increasing order of
1-56 severity:

1-57 (1) conducting an on-site investigation of the center;

1-58 (2) requiring the center to send notice [~~of each~~
1-59 ~~deficiency~~] to each school district and campus in the center's

1-60 region or served by the center the previous year concerning any area
1-61 of performance, including overall performance, that is below the
1-62 minimum level of performance established for that area under
1-63 Section 8.1031; and

2-1 (3) requiring the center to prepare for the
 2-2 commissioner's approval a plan to address each area of performance
 2-3 that is below the minimum level of performance established for that
 2-4 area under Section 8.1031 [~~deficiency,~~
 2-5 ~~[(4) appointing a master to oversee the operations of~~
 2-6 ~~the center,~~
 2-7 ~~[(5) replacing the executive director or board of~~
 2-8 ~~directors, and~~
 2-9 ~~[(6) in the case of deficient performance in two~~
 2-10 ~~consecutive years, closing the center].~~

2-11 (c) In addition to the actions required under Subsection
 2-12 (b), the commissioner shall take the following actions:

2-13 (1) for a regional education service center that has
 2-14 been low-performing for one school year, place the center on
 2-15 probation;

2-16 (2) for a regional education service center that has
 2-17 been low-performing for two consecutive school years, continue the
 2-18 center's probation and:

2-19 (A) withhold any state money to which the center
 2-20 is otherwise entitled; and

2-21 (B) distribute the money withheld to school
 2-22 districts in the region that the center serves; and

2-23 (3) for a regional education service center that has
 2-24 been low-performing for three consecutive school years:

2-25 (A) both:
 2-26 (i) appoint a master to oversee the
 2-27 operations of the center; and

2-28 (ii) replace the executive director or
 2-29 board of directors; or

2-30 (B) order the closure of the center.

2-31 SECTION 4. (a) As soon as practicable after the effective
 2-32 date of this Act, the commissioner of education shall establish a
 2-33 rating system for regional education service centers as required by
 2-34 Section 8.1031, Education Code, as added by this Act.

2-35 (b) The Texas Education Agency shall begin rating regional
 2-36 education service centers as required by Section 8.1031, Education
 2-37 Code, as added by this Act, beginning with the 2006-2007 school
 2-38 year.

2-39 (c) The commissioner of education may not take an action
 2-40 under Section 8.104, Education Code, as amended by this Act, based
 2-41 on the performance of a regional education service center for the
 2-42 2005-2006 school year or an earlier school year.

2-43 SECTION 5. This Act takes effect immediately if it receives
 2-44 a vote of two-thirds of all the members elected to each house, as
 2-45 provided by Section 39, Article III, Texas Constitution. If this
 2-46 Act does not receive the vote necessary for immediate effect, this
 2-47 Act takes effect September 1, 2005.

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