

BILL ANALYSIS

S.B. 158
By: Seliger
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently in Texas, there is no statutory requirement that educational diagnosticians be certified. Because of the critical nature of the services they provide to students, the statute should mandate certification. The Sunset Advisory Commission's report on the State Board for Educator Certification (SBEC) recommended in both the 78th and 79th Legislature that educational diagnosticians be added to the statutory list of professionals required to hold an SBEC-issued certificate or permit in order to be employed by a school district.

SBEC ensures the quality of education professionals when they enter the profession, enforces professional standards of conduct, and promotes professional development. This bill would require educational diagnosticians who begin employment with a school district on or after September 1, 2008 to be certified by SBEC.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the State Board for Educator Certification in SECTION 3 of this bill.

ANALYSIS

This bill amends the Education Code to provide that a person may not be employed as an educational diagnostician by a school district unless the person holds an appropriate certificate or permit.

Provisions of the Education Code that require that a contract between a school district and an educator must be for a minimum of 10 months' service, and that an educator employed under a 10-month contract must provide a minimum of 187 days of service, do not apply to a contract between a school district and an educational diagnostician .

Not later than January 1, 2008, the State Board for Educator Certification shall propose rules governing the certification of educational diagnosticians.

This bill would only apply to a person who begins employment with a school district as an educational diagnostician on or after Sept. 1, 2008. A person employed by a school district as an educational diagnostician before September 1, 2008 may continue employment with such district without obtaining a certificate or permit so long as the person is employed by that district.

EFFECTIVE DATE

September 1, 2007.