

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: Crownover, Naishtat, Villarreal, Delisi,  
Eissler, et al.

H.B. No. 1609

A BILL TO BE ENTITLED

AN ACT

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relating to the Communities In Schools program.

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

SECTION 1. Sections 33.154 and 33.155, Education Code, are amended to read as follows:

Sec. 33.154. DUTIES OF COMMISSIONER [~~STATE DIRECTOR~~]. (a) The commissioner [~~state director~~] shall:

(1) coordinate the efforts of the Communities In Schools program with other social service organizations and agencies and with public school personnel to provide services to students who are at risk of dropping out of school or engaging in delinquent conduct, including students who are in family conflict or emotional crisis;

(2) set standards for the Communities In Schools program and establish state performance goals, objectives, and measures for the program, including performance goals, objectives, and measures that consider improvement in student:

(A) behavior;

(B) academic achievement; and

(C) promotion, graduation, retention, and dropout rates;

(3) obtain information to determine accomplishment of state performance goals, objectives, and measures;

(4) promote and market the program in communities in

1 which the program is not established;

2 (5) help communities that want to participate in the  
3 program establish a local funding base; ~~and~~

4 (6) provide training and technical assistance for  
5 participating communities and programs; and

6 (7) adopt policies concerning:

7 (A) the responsibility of the agency in  
8 encouraging local businesses to participate in local Communities In  
9 Schools programs;

10 (B) the responsibility of the agency in obtaining  
11 information from participating school districts;

12 (C) the use of federal or state funds available  
13 to the agency for programs of this nature; and

14 (D) any other areas concerning the program  
15 identified by the commissioner.

16 (b) The commissioner shall adopt rules to implement the  
17 policies described by Subsection (a)(7) and shall annually update  
18 the rules.

19 (c) Notwithstanding any provision of this subchapter, if  
20 the commissioner determines that a program consistently fails to  
21 achieve the performance goals, objectives, and measures  
22 established by the commissioner under Subsection (a)(2), the  
23 commissioner may withhold funding from that program and require the  
24 program to compete through a competitive bidding process to receive  
25 funding to participate in the program.

26 Sec. 33.155. [~~DEPARTMENT~~] COOPERATION WITH COMMUNITIES IN  
27 SCHOOLS, INC. [~~MEMORANDUM OF UNDERSTANDING.~~ (a)] The agency[~~7~~

1 ~~the department,~~] and Communities In Schools, Inc. shall work  
2 together to maximize the effectiveness of the Communities In  
3 Schools program.

4 SECTION 2. Section 42.152, Education Code, is amended by  
5 adding Subsection (u) to read as follows:

6 (u) From the total amount of funds appropriated for  
7 allotments under this section, the commissioner shall, each fiscal  
8 year, withhold an amount to be determined by the commissioner, but  
9 not less than \$30 million for prekindergarten through high school  
10 programs under Subchapter E, Chapter 33, and distribute that amount  
11 as provided by Section 33.156. After deducting the amount withheld  
12 under this subsection from the total amount appropriated for the  
13 allotment under Subsection (a), the commissioner shall reduce each  
14 district's tier one allotments in the same manner described for a  
15 reduction in allotments under Section 42.253 and shall allocate  
16 funds to each district accordingly.

17 SECTION 3. Sections 33.151(1), 33.153, and 33.155(b) and  
18 (c), Education Code, are repealed.

19 SECTION 4. This Act takes effect September 1, 2007.

ADOPTED

MAY 22 2007

*Lotay Spaw*  
Secretary of the Senate

By: Crowner

H.B. No. 1609

Substitute the following for H.B. No. 1609:

By: W

C.S. H.B. No. 1609

A BILL TO BE ENTITLED

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

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SECTION 1. Sections 33.154 and 33.155, Education Code, are amended to read as follows:

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Sec. 33.154. DUTIES OF COMMISSIONER [~~STATE DIRECTOR~~]. (a)

6

The commissioner [~~state director~~] shall:

7

(1) coordinate the efforts of the Communities In Schools program with other social service organizations and agencies and with public school personnel to provide services to students who are at risk of dropping out of school or engaging in delinquent conduct, including students who are in family conflict or emotional crisis;

8

(2) set standards for the Communities In Schools program and establish state performance goals, objectives, and measures for the program, including performance goals, objectives, and measures that consider improvement in student:

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(A) behavior;

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(B) academic achievement; and

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(C) promotion, graduation, retention, and

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dropout rates;

16

(3) obtain information to determine accomplishment of state performance goals, objectives, and measures;

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(4) promote and market the program in communities in

1 which the program is not established;

2 (5) help communities that want to participate in the  
3 program establish a local funding base; ~~and~~

4 (6) provide training and technical assistance for  
5 participating communities and programs; and

6 (7) adopt policies concerning:

7 (A) the responsibility of the agency in  
8 encouraging local businesses to participate in local Communities In  
9 Schools programs;

10 (B) the responsibility of the agency in obtaining  
11 information from participating school districts;

12 (C) the use of federal or state funds available  
13 to the agency for programs of this nature; and

14 (D) any other areas concerning the program  
15 identified by the commissioner.

16 (b) The commissioner shall adopt rules to implement the  
17 policies described by Subsection (a)(7) and shall annually update  
18 the rules.

19 (c) Notwithstanding any provision of this subchapter, if  
20 the commissioner determines that a program consistently fails to  
21 achieve the performance goals, objectives, and measures  
22 established by the commissioner under Subsection (a)(2), the  
23 commissioner may withhold funding from that program and require the  
24 program to compete through a competitive bidding process to receive  
25 funding to participate in the program.

26 Sec. 33.155. [~~DEPARTMENT~~] COOPERATION WITH COMMUNITIES IN  
27 SCHOOLS, INC. [~~, MEMORANDUM OF UNDERSTANDING.~~ (a)] The agency[~~7~~

1 ~~the department,~~] and Communities In Schools, Inc. shall work  
2 together to maximize the effectiveness of the Communities In  
3 Schools program.

4 SECTION 2. Subchapter E, Chapter 33, Education Code, is  
5 amended by adding Section 33.159 to read as follows:

6 Sec. 33.159. AGENCY PERFORMANCE OF COMMUNITIES IN SCHOOLS  
7 FUNCTIONS REQUIRED. The agency, through the Communities In Schools  
8 State Office:

9 (1) must perform each function concerning the  
10 Communities In Schools program for which the agency is responsible;  
11 and

12 (2) may not contract with a private entity to perform a  
13 function described by Subdivision (1).

14 SECTION 3. Section 42.152, Education Code, is amended by  
15 adding Subsection (u) to read as follows:

16 (u) From the total amount of funds appropriated for  
17 allotments under this section, the commissioner shall, each fiscal  
18 year, withhold an amount to be determined by appropriation for  
19 prekindergarten through high school programs under Subchapter E,  
20 Chapter 33, and distribute that amount as provided by Section  
21 33.156. After deducting the amount withheld under this subsection  
22 from the total amount appropriated for the allotment under  
23 Subsection (a), the commissioner shall reduce each district's tier  
24 one allotments in the same manner described for a reduction in  
25 allotments under Section 42.253 and shall allocate funds to each  
26 district accordingly.

27 SECTION 4. Sections 33.151(1), 33.153, and 33.155(b) and

1 (c), Education Code, are repealed.

2 SECTION 5. This Act takes effect September 1, 2007.





**LEGISLATIVE BUDGET BOARD**  
Austin, Texas

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**May 18, 2007**

**TO:** Honorable Florence Shapiro, Chair, Senate Committee on Education

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: HB1609** by Crossover (relating to the Communities in Schools program ), **Committee Report 2nd House, Substituted**

**No fiscal implication to the State is anticipated.**

The bill would codify provisions concerning program performance goals, objectives, and measures and would provide the commissioner of education authority to withhold funding from a Communities In Schools (CIS) program that consistently fails to achieve performance criteria. The bill would make conforming amendments with regard to current administrative responsibilities and structure.

The bill would prohibit the Texas Education Agency from contracting with a private entity to perform CIS functions for which the agency is responsible.

Local CIS programs that consistently fail to meet state established performance criteria would be subject to suspension of state funding.

The bill would take effect September 1, 2007.

**Local Government Impact**

Local CIS programs that consistently fail to meet state established performance criteria would be subject to suspension of state funding.

**Source Agencies:** 701 Central Education Agency

**LBB Staff:** JOB, JSp, JGM, UP, JSc



**LEGISLATIVE BUDGET BOARD**  
Austin, Texas

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**May 14, 2007**

**TO:** Honorable Florence Shapiro, Chair, Senate Committee on Education

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: HB1609** by Crossover (Relating to the Communities In Schools program.), **As Engrossed**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB1609, As Engrossed: a negative impact of (\$28,738,048) through the biennium ending August 31, 2009.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

**General Revenue-Related Funds, Five-Year Impact:**

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2008	(\$14,369,024)
2009	(\$14,369,024)
2010	(\$14,369,024)
2011	(\$14,369,024)
2012	(\$14,369,024)

**All Funds, Five-Year Impact:**

Fiscal Year	Probable Savings/(Cost) from <i>FOUNDATION SCHOOL FUND</i> 193
2008	(\$14,369,024)
2009	(\$14,369,024)
2010	(\$14,369,024)
2011	(\$14,369,024)
2012	(\$14,369,024)

**Fiscal Analysis**

This bill would amend Texas Education Code 42.152 to set aside at least \$30 million annually from the compensatory education allotment to fund the Communities In School (CIS) program.

The bill would codify provisions concerning program performance goals, objectives, and measures and would provide the commissioner of education authority to withhold funding from a CIS program that consistently fails to achieve performance criteria. The bill would make conforming amendments with regard to current administrative responsibilities and structure.

The bill would take effect September 1, 2007.

**Methodology**



Current funding for CIS from state funds is \$15,630,976 per year. Increasing this to \$30 million would require an additional \$14,369,024 in appropriations from the Foundation School Fund per year.

These additional appropriations would be paid through reductions to districts' Tier 1 compensatory education allotments. However, due to the changes in school finance made by House Bill 1, 79th Legislature, 3rd Called, a reduction in a district's Tier 1 state aid would result in a corresponding increase in hold harmless state aid in order to reach the district's total revenue target. Therefore, increases in appropriations for set-aside programs result in increased state cost. In the event Education Code 42.2516 were changed to restore set-aside funding to its pre-House Bill 1 (79-3) functionality, the bill would have no net state fiscal impact.

### **Technology**

The bill would have no fiscal impact upon the agency's technology costs.

### **Local Government Impact**

School districts with local Communities in Schools programs in place could see an increase in state funding for those programs.

In the event Education Code 42.2516 were changed to restore set-aside funding to its pre-House Bill 1 functionality, the bill would reduce districts' funding through the compensatory education allotment.

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**LBB Staff:** JOB, JSp, JGM, UP, JSc



**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**April 30, 2007**

**TO:** Honorable Rob Eissler, Chair, House Committee on Public Education

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: HB1609** by Crowover (relating to the Communities in Schools program.), **Committee Report 1st House, Substituted**

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LEGISLATIVE BUDGET BOARD  
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 13, 2007

TO: Honorable Rob Eissler, Chair, House Committee on Public Education

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: **HB1609** by Crossover (Relating to funding of the Communities In Schools program.), As Introduced

Estimated Two-year Net Impact to General Revenue Related Funds for HB1609, As Introduced: a negative impact of (\$28,738,048) through the biennium ending August 31, 2009.

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