

By: Aycock

H.B. No. 2856

A BILL TO BE ENTITLED

AN ACT

relating to authority of the Texas Education Agency and the commissioner of education to monitor compliance with requirements applicable to state educational programs.

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

SECTION 1. The heading to Section 7.028, Education Code, is amended to read as follows:

Sec. 7.028. [~~LIMITATION ON~~] COMPLIANCE MONITORING.

SECTION 2. Section 7.028(a), Education Code, is amended to read as follows:

(a) In addition to actions authorized [~~Except as provided~~] by Section 29.001(5), 29.010(a), 39.0301(e), 39.074, or 39.075, the agency may monitor compliance with requirements applicable to a process or program provided by a school district, campus, program, or school granted charters under Chapter 12, including the process described by Subchapter F, Chapter 11, or a program described by Subchapter B, C, D, E, F, H, or I, Chapter 29, Subchapter A, Chapter 37, or Section 38.003, and the use of funds provided for such a program under Subchapter C, Chapter 42, [~~only~~] as necessary to ensure:

- (1) compliance with federal law and regulations;
- (2) financial accountability, including compliance with grant requirements; and
- (3) data integrity for purposes of:

1                   (A) the Public Education Information Management  
2 System (PEIMS); and

3                   (B) accountability under Chapter 39.

4           SECTION 3. Section 39.075, Education Code, is amended by  
5 adding Subsection (d) to read as follows:

6           (d) The commissioner shall establish and publicize a  
7 process through which a complaint or allegation may be made to the  
8 commissioner that potentially indicates the need for a special  
9 accreditation investigation under this section.

10          SECTION 4. The commissioner of education shall establish  
11 and publicize the process required by Section 39.075(d), Education  
12 Code, as added by this Act, not later than January 31, 2010.

13          SECTION 5. This Act takes effect immediately if it receives  
14 a vote of two-thirds of all the members elected to each house, as  
15 provided by Section 39, Article III, Texas Constitution. If this  
16 Act does not receive the vote necessary for immediate effect, this  
17 Act takes effect September 1, 2009.