

LEGISLATIVE BUDGET BOARD  
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 20, 2009

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

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

**IN RE: SB548** by Zaffirini (Relating to public school accountability for bilingual education and English as a second language and other special language programs.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for SB548, As Introduced: a negative impact of (\$1,880,300) through the biennium ending August 31, 2011.

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
2010	(\$876,561)
2011	(\$1,003,739)
2012	(\$979,739)
2013	(\$1,194,112)
2014	(\$1,170,112)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund 1	Change in Number of State Employees from FY 2009
2010	(\$876,561)	9.0
2011	(\$1,003,739)	12.0
2012	(\$979,739)	12.0
2013	(\$1,194,112)	14.5
2014	(\$1,170,112)	14.5

Fiscal Analysis

The bill would require the Texas Education Agency (TEA) to disaggregate academic excellence indicators for bilingual and English as a Second Language (special language programs) at the school district, campus, and open-enrollment charter school level and would create additional indicators. New indicators include the results of monitoring, analysis of data related to the number of waivers requested, the rate of parental denial for placement in a bilingual or special language program, comparative data regarding grade-level retention rates of students of limited English proficiency (LEP students) and non-LEP students, variance in the percentage of identified LEP students and the percentage of students whose families speak a language other than English at home, and comparative data regarding academic performance and the dropout rate between LEP and non-LEP students.

The bill would require monitors of bilingual and special language programs be certified for bilingual

education, English as a Second Language, or other special language programs. Emergency endorsements would not qualify as certification for these purposes.

TEA would be required to notify school districts or charter schools of a campus that is non-compliant with respect to bilingual or special language programs in writing within 30 days after a desk audit or on-site monitoring visit. The bill specifies corrective actions school districts and charter schools would be required to take in response to notification of non-compliance.

The bill would require TEA to review annual improvement in bilingual or special language programs in relation to annual improvement goals set by the school district or charter school.

The bill would require school districts that are required to offer bilingual or special language programs to submit certain additional data to TEA through the Public Education Information Management System (PEIMS). Required data would include the total amount of time a student was enrolled in a bilingual or special language program, student grades, student performance on assessments, any disciplinary actions taken against the student, the student's credits toward high school graduation, the number of years enrolled in high school, and whether the student graduated, obtained a high-school equivalency certificate, or dropped out.

The bill would require that academic excellence indicators be disaggregated by students' status as being of limited English proficiency.

## **Methodology**

TEA estimates that the provisions of the bill would require 8.0 additional FTEs in the Performance Based Monitoring division at a cost of \$708,663 in FY2010 and \$644,663 in each subsequent year, inclusive of salary, benefits, and other expenses.

TEA estimates that the provisions of bill would result in additional on-site monitoring visits, which would require 1.0 FTE in FY2010 at a cost of \$72,897, 4.0 FTEs in FY2011 and FY2012 at a cost of \$327,576 in FY2011 and \$303,576 in FY2012, and 6.5 FTEs in FY2013 and FY2014 at a cost of \$512,949 in FY2013 and \$488,949 in FY2014. All FTE costs are inclusive of salary, benefits, and other expenses. Travel expenses are estimated at \$10,000 annually in FY2011 and FY2012 and \$15,000 annually in FY2013 and FY2014.

Costs for training and certification of monitors to comply with the provisions of the bill are estimated at \$1,500 per year beginning in FY2011.

Modifications to PEIMS for the collection of new data are estimated to cost \$95,000 in FY2010 and \$20,000 in each subsequent year.

## **Technology**

Modifications to PEIMS for the collection of new data are estimated to cost \$95,000 in FY2010 and \$20,000 in each subsequent year.

## **Local Government Impact**

School districts and open-enrollment charter schools might incur additional costs for corrective actions or hiring independent auditors if they failed to meet one or more annual improvement goals.

School districts and open-enrollment charter schools would also be required to update locally developed or vendor-provided software systems to provide required data to the TEA through the PEIMS. Costs for updates to data collection systems are estimated at \$5,000 per district, for an estimated statewide cost of \$6 million for all 1,200 school districts and open-enrollment charter schools.

**Source Agencies:** 701 Central Education Agency

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