

BILL ANALYSIS

Senate Research Center

S.B. 123
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Education
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Texas has been working toward increased accountability and transparency in education. One of the tools the state has to achieve this goal is the Public Education Information Management System (PEIMS). Through PEIMS, schools report student data such as enrollment history, disciplinary history, graduation status and limited English proficiency status, as well as personnel data.

Current law allows the commissioner of education (commissioner) to initiate an investigation for a variety of reasons, but allegations of inaccurate data reported through PEIMS are not included.

S.B. 123 allows the commissioner to initiate an accreditation investigation in response to an allegation that inaccurate data has been reported through PEIMS or through other reports required by state or federal law. This includes data that is used by the Texas Education Agency to make decisions on school accreditation. In addition, the bill allows the commissioner to issue subpoenas during investigations initiated for the reason described above.

S.B. 123 amends current law relating to the authority of the commissioner of education to issue subpoenas and conduct accreditation investigations.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 39.0302(a), Education Code, to authorize the commissioner of education (commissioner), during certain investigations, including an accreditation investigation under Section 39.057(a)(8) (relating to authorizing special accreditation investigations in response to an allegation regarding a possible violation of an assessment instrument) or (13), rather than Section 39.075(a)(8), to issue a subpoena to compel the attendance of a relevant witness or the production, for inspection or copying, of relevant evidence that is located in the state.

SECTION 2. Amends Section 39.057(a), Education Code, as follows:

(a) Authorizes, rather than requires, the commissioner to authorize special accreditation investigations to be conducted:

(1)-(11) Makes no changes to these subdivisions;

(12) Makes a nonsubstantive change.

(13) in response to a complaint submitted to the Texas Education Agency (TEA) with respect to the alleged inaccurate data that is reported through the Public Education Information Management System (PEIMS) or through other reports required by state or federal law or rule or court order and that is used by TEA to

make a determination relating to public school accountability, including accreditation, under this chapter (Public School System Accountability); or

(14) Redesignates existing Subdivision (13) as Subdivision (14) and makes no further change.

SECTION 3. Effective date: upon passage or September 1, 2013.