

By: Lucio III

H.B. No. 3841

A BILL TO BE ENTITLED

AN ACT

relating to a supplemental educational services program.

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

SECTION 1. Chapter 29, Education Code, is amended by adding Subchapter O to read as follows:

SUBCHAPTER O. SUPPLEMENTAL EDUCATIONAL SERVICES PROGRAM

Sec. 29.601. PROGRAM REQUIRED. The agency shall administer a program for the provision of supplemental educational services under 20 U.S.C. Section 6316 to eligible students at campuses that receive federal funding under Title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. Section 6301 et seq.).

Sec. 29.602. NOTIFICATION OF STUDENT ELIGIBILITY. (a) The agency shall notify a school district of students enrolled in the district who are eligible for services under the program.

(b) Each school district shall notify the parents of an eligible student of the availability of the services and provide the parents with information regarding the applicable procedures for applying to enroll the student in the program.

(c) To the extent that insufficient funds are available to provide supplemental educational services to each eligible student, services shall be provided in accordance with priorities established by the school district in which a student is enrolled.

Sec. 29.603. ENROLLMENT PROCEDURES. (a) The agency shall develop procedures under which the parent of an eligible student

1 may apply to the agency to enroll the student in the program.

2 (b) The procedures must include the availability of
3 electronic application for enrollment through the Internet.

4 Sec. 29.604. TUTORING PROVIDERS. (a) A student may receive
5 supplemental educational services under the program only through a
6 tutoring provider that:

7 (1) is certified for that purpose by the agency; and

8 (2) enters into a contract with the district and the
9 agency governing the provision of those services.

10 (b) The agency shall adopt a statewide uniform contract for
11 purposes of Subsection (a)(2).

12 (c) The agency shall set reimbursement rates for tutoring
13 providers. Each tutoring provider shall submit invoices for
14 services directly to the agency.

15 (d) The agency shall notify a school district and the
16 parents of a child receiving services from a tutoring provider if
17 the tutoring provider becomes ineligible to provide services under
18 the program.

19 Sec. 29.605. FUNDING. (a) The agency shall fund the
20 program by retaining, for each school district with students
21 eligible for services under the program, a portion of the federal
22 funding under Title I of the Elementary and Secondary Education Act
23 of 1965 (20 U.S.C. Section 6301 et seq.) that would otherwise be
24 provided directly to the district.

25 (b) The amount retained under Subsection (a) may not exceed
26 the amount that the school district could be required to use for
27 supplemental educational services under federal law in the absence

1 of any applicable federal waiver. The agency shall determine the
2 amount to retain for each school district based on the estimated
3 number of students in the district eligible for services under the
4 program.

5 (c) Any portion of funds retained for a school district that
6 is not used to pay the costs of providing supplemental educational
7 services to eligible students in the district shall be released to
8 the district promptly.

9 Sec. 29.606. INCENTIVES FOR EFFECTIVE USE OF PROGRAM. (a)
10 The agency shall make efforts to provide incentives to school
11 districts to achieve improvements in academic achievement through
12 effective use of supplemental educational services provided under
13 the program.

14 (b) In making discretionary grants to school districts
15 under any provision of this code, the agency may give a preference
16 to a school district that demonstrates effective use of
17 supplemental educational services provided under the program.

18 Sec. 29.607. RULES. The commissioner shall adopt rules
19 necessary to implement this subchapter.

20 SECTION 2. This Act takes effect September 1, 2013.