

By: Menéndez

S.B. No. 1775

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the acquisition of certain professional services by a
3 school district.

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

5 SECTION 1. Section 39.109, Education Code, is amended to
6 read as follows:

7 Sec. 39.109. ACQUISITION OF PROFESSIONAL SERVICES. (a) In
8 addition to other interventions and sanctions authorized under this
9 subchapter, the commissioner may order a school district or campus
10 to acquire professional services at the expense of the district or
11 campus to address the applicable financial, assessment, data
12 quality, program, performance, or governance deficiency. The
13 commissioner's order may require the district or campus to:

14 (1) select or be assigned an external auditor, data
15 quality expert, professional authorized to monitor district
16 assessment instrument administration, or curriculum or program
17 expert; or

18 (2) provide for or participate in the appropriate
19 training of district staff or board of trustees members in the case
20 of a district, or campus staff, in the case of a campus.

21 (b) An educator approved as a professional service provider
22 to provide services to a school district or campus ordered to
23 acquire the service in accordance with this section may not charge
24 the district for the service more than:

1 (1) \$75 per hour; or

2 (2) a fixed amount equivalent to that hourly rate.

3 SECTION 2. The change in law made by this Act to Section
4 [39.109](#), Education Code, applies to the payment for services
5 provided or to payment owed pursuant to a contract for services
6 entered on or after the effective date of this Act. The payment for
7 services provided or payment owed pursuant to a contract for
8 services entered before the effective date of this Act is governed
9 by the law in effect on the date the contract was entered, if any, or
10 on the date the service was provided if no contract was entered, and
11 the former law is continued in effect for that purpose.

12 SECTION 3. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section [39](#), Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2015.