

BILL ANALYSIS

Senate Research Center

C.S.S.B. 1918
By: Luna
Education
5-5-97
Committee Report (Substituted)

DIGEST

Currently, Texas law allows students who are deaf or hard of hearing to graduate from high school following completion of academic requirements applicable to students in regular education. However, concerns have been raised regarding the Texas School for the Deaf's (TSD) operation and administration. Problems include the graduation of students from high school who lack employability skills, independent living skills, and social skills. The Texas Commission for the Deaf and Hearing Impaired (TCDHI) and the Texas Rehabilitation Commission (TRC) provide services to assist such students in gaining skills they did not gain prior to graduation from high school but still need. Many of the skills they need are taught at TSD in its academic and vocational-tech programs. C.S.S.B. 1918 would allow TSD to serve students who are deaf or hard of hearing by coordinating efforts with TCDHI and TRC in order to result in effective and efficient services to students.

PURPOSE

As proposed, C.S.S.B. 1918 outlines provisions regarding the operation and administration of the Texas School for the Deaf.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the commissioner of education under SECTION 4 (Section 30.057(c), Education Code) and SECTION 6 (Section 29.315, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 30.051, Education Code, by adding Subsection (d), to require the Texas School for the Deaf (school) to cooperate with public and private agencies and organizations serving students and other persons who are deaf or hearing impaired in the planning, development, and implementation of effective educational and rehabilitative service delivery systems associated with educating students with who are deaf or hard of hearing. Authorizes the services provided in this area to include conducting a cooperative program with other agencies to serve persons who have graduated from high school and who have identified needs related to vocational training, independent living skills, and social and leisure skills, to maximize and make efficient use of state facilities, funding, and resources.

SECTION 2. Amends Section 30.052, Education Code, by amending Subsections (d) and (g) and adding Subsections (i), (j), and (k), to require the State Board of Education (board) to organize and conduct itself in the same manner as an independent school district board of trustees to the extent that the organization and conduct do not conflict with the board's responsibilities relating to the status of the school as a state agency. Authorizes an action of the board related to a dismissal during the term of a teacher's, rather than professional employee's, contract or to a nonrenewal of a teacher's contract to be appealed to the commissioner of education in the manner prescribed by Chapter 21G. Defines "teacher." Sets forth the authorization of the board. Provides that a license issued by the board under Subsection (j) is subject to termination on sale or lease of the affected facility under Chapter 672, Acts of the 71st Legislature, Regular Session, 1989 (Article 5421t, V.T.C.S.), and Chapter 31E, Natural Resources Code. Makes conforming and nonsubstantive changes.

SECTION 3. Amends Section 30.055(b), Education Code, to require each teacher to be employed under a term contract as provided by Chapter 21E, or under a probationary contract as provided by

Chapter 21C.

SECTION 4. Amends Section 30.057, Education Code, to set forth requirements regarding admission to the school.

SECTION 5. Amends Chapter 30C, Education Code, by adding Section 30.059, as follows:

Sec. 30.059. LEASE OF CERTAIN PROPERTY OF TEXAS SCHOOL FOR THE DEAF FOR A DAY-CARE CENTER. Outlines provisions and sets forth requirements regarding the lease of certain property of the school for a day-care center.

SECTION 6. Amends Chapter 29I, Education Code, by adding Section 29.315, as follows:

Sec. 29.315. TEXAS SCHOOL FOR THE DEAF MEMORANDUM OF UNDERSTANDING. Sets forth items to be included in a memorandum of understanding required to be developed, agreed to, and by commissioner rule adopted no later than September 1, 1998, by the Texas Education Agency and the school.

SECTION 7. Amends Sections 411.113(a), (d), and (e), Government Code, to provide that the school is entitled to obtain criminal history record information maintained by certain entities which relates to student teachers, educational interns, and persons who perform ongoing educational projects at the school, among others. Provides that the failure or refusal to provide a complete set of fingerprints or a complete name on request constitutes good cause for dismissal or refusal to hire or accept for placement student teachers, educational interns, and persons who perform ongoing educational projects at the school, among others. Makes conforming and nonsubstantive changes.

SECTION 8. Amends Section 1, Article 6228a-5, V.T.C.S., to authorize the Texas Higher Education Coordinating Board, rather than the Texas College and University System, the Texas Education Agency, rather than the Central Education Agency, and the school, among others, to enter into agreements with their employees for the purchase of annuities or for contributions to any type of investment for their employees as authorized in Section 403(b) of the Internal Revenue Code of 1954, as it existed on January 1, 1981.

SECTION 9. Effective date: September 1, 1997.

SECTION 10. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

SECTION 1.

Amends Section 30.051, Education Code, regarding persons who are deaf or hearing impaired.

SECTION 2.

Amends Section 30.052, Education Code, by adding Subsections (d) and (g), and adding Subsections (i), (j), and (k), regarding the authorization of the State Board of Education.

SECTION 4.

Amends Section 30.057, Education Code, regarding admission to the Texas School for the Deaf.

SECTION 5.

Amends Chapter 30C, Education Code, by adding Section 30.059, regarding the lease of certain property of the Texas School for the Deaf for a day care center.

SECTION 6.

Amends Chapter 29I, Education Code, by adding Section 29.315, regarding the establishment of a Texas School for the Deaf memorandum of understanding.

SECTION 7.

Amends Sections 411.113(a), (d), and (e), Government Code, to delete text regarding the disclosure of certain information to the applicant. Renumbers existing SECTIONS.