

BILL ANALYSIS

Senate Research Center

C.S.H.B. 1609
By: Crownover et al. (Shapleigh)
Education
5/18/2007
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The goal of the Communities in Schools (CIS) program is to support schools by working with at-risk students to decrease the dropout rate. This program has become the largest dropout prevention program in the state. Initial funding at the program's inception in 1980 was provided by discretionary funding from the federal Job Training Partnership Act. Since 1989, the program has been financed with discretionary funding either from the governor or from the legislature through an appropriations rider passed each legislative session. Under current law, the Education Code does not specify that funds have to be set aside for the CIS program.

C.S.H.B. 1609 increases funding and creates a mandatory set-aside for CIS within Article 42.152 (Compensatory Education Allotment), Education Code.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the commissioner of education in SECTION 1 (Section 33.154, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 33.154 and 33.155, Education Code, as follows:

Sec. 33.154. New heading: DUTIES OF COMMISSIONER. (a) Requires the commissioner of education (commissioner) to set standards for the Communities In Schools program (program) and establish state performance goals, objectives, and measures for the program, including performance goals, objectives and measures that consider improvement in student behavior, academic achievement, and promotion, graduation, retention, and dropout rates. Requires the commissioner to adopt policies concerning the responsibility of the Texas Education Agency (TEA) in encouraging local business to participate in local programs, the responsibility of TEA in obtaining information from participating school districts, the use of federal or state funds available to TEA for programs of this nature, and other areas concerning the program identified by the commissioner.

(b) Requires the commissioner to adopt rules to implement the policies described by Subsection (a)(7) and to annually update the rules.

(c) Authorizes the commissioner, if the commissioner determines that a program consistently fails to achieve the performance goals, objectives, and measures established by the commissioner under Subsection (a)(2), to withhold, notwithstanding any provision of this subchapter, funding from that program and require the program to compete through a competitive bidding process to receive funding to participate in the program.

Sec. 33.155. New heading: COOPERATION WITH COMMUNITIES IN SCHOOLS, INC. Deletes existing text relating to the Department of Protective and Regulatory Services working with TEA and Communities In Schools, Inc. to work to maximize the effectiveness of the program.

SECTION 2. Amends Subchapter E, Chapter 33, Education Code, by adding Section 33.159, as follows:

Sec. 33.159. AGENCY PERFORMANCE OF COMMUNITIES IN SCHOOLS FUNCTIONS REQUIRED. Requires TEA, through the Communities In Schools State Office, to perform each function concerning the Communities In Schools program for which TEA is responsible, and prohibits TEA from contracting with a private entity to perform a function described this section.

SECTION 3. Amends Section 42.152, Education Code, by adding Subsection (u), as follows:

(u) Requires the commissioner, from the total amount of funds appropriated for allotments under this section, each fiscal year, to withhold an amount to be determined by appropriation for prekindergarten through high school programs under Subchapter E (Communities in Schools Program), Chapter 33, Education Code, and to distribute that amount as provided by Section 33.156 (Funding; Expansion of Participation). Requires the commissioner to reduce each district's tier one allotments in the same manner described for a reduction in allotments under Section 42.253 (Distribution of Foundation School Fund), Education Code, and to allocate funds to each district accordingly after deducting the amount withheld under this subsection from the total amount withheld under this subsection from the total amount appropriated for this allotment under Subsection (a).

SECTION 3. Repealer: Sections 33.151(l) (defining "department"), 33.153 (State Directors), and 33.155(b) (requiring the agency and the department to develop and agree to a memorandum of understanding to clearly define the responsibilities of the agency and of the department under this subchapter) and (c) (requiring the agency and the department to adopt rules to implement the memorandum and to update the memorandum and rules annually), Education Code.

SECTION 4. Effective date: September 1, 2007.