

**Texas Education Agency
Self-Evaluation Report**



Sunset Advisory Commission

September 1, 2011

Texas Education Agency

Self Evaluation Report

Presented to the
Sunset Advisory Commission

September 1, 2011

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Texas Education Agency Self-Evaluation Report

I. Agency Contact Information

Texas Education Agency Exhibit 1: Agency Contacts				
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II. Key Functions and Performance

The following information covers overall operations of the Texas Education Agency. More detailed information about individual programs is provided in later sections.



MISSION:

The mission of the Texas Education Agency (TEA) is to provide leadership, guidance, and resources to help schools meet the educational needs of all students.

PUBLIC EDUCATION MISSION AND OBJECTIVES (Texas Education Code, §4.001):

- a) The mission of the public education system of this state is to ensure that all Texas children have access to a quality education that enables them to achieve their potential and fully participate now and in the future in the social, economic, and educational opportunities of our state and nation. That mission is grounded on the conviction that a general diffusion of knowledge is essential for the welfare of this state and for the preservation of the liberties and rights of citizens. It is further grounded on the conviction that a successful public education system is directly related to a strong, dedicated, and supportive family and that parental involvement in the school is essential for the maximum educational achievement of a child.
- b) The objectives of public education are:
- OBJECTIVE 1: Parents will be full partners with educators in the education of their children.
- OBJECTIVE 2: Students will be encouraged and challenged to meet their full educational potential.
- OBJECTIVE 3: Through enhanced dropout prevention efforts, all students will remain in school until they obtain a high school diploma.
- OBJECTIVE 4: A well-balanced and appropriate curriculum will be provided to all students.
- OBJECTIVE 5: Educators will prepare students to be thoughtful, active citizens who have an appreciation for the basic values of our state and national heritage and who can understand and productively function in a free enterprise society.
- OBJECTIVE 6: Qualified and highly effective personnel will be recruited, developed, and retained.
- OBJECTIVE 7: The state's students will demonstrate exemplary performance in comparison to national and international standards.
- OBJECTIVE 8: School campuses will maintain a safe and disciplined environment conducive to student learning.
- OBJECTIVE 9: Educators will keep abreast of the development of creative and innovative techniques in instruction and administration using those techniques as appropriate to improve student learning.
- OBJECTIVE 10: Technology will be implemented and used to increase the effectiveness of student learning, instructional management, staff development, and administration.

PUBLIC EDUCATION ACADEMIC GOALS (Texas Education Code, §4.002):

To serve as a foundation for a well-balanced and appropriate education:

GOAL 1: The students in the public education system will demonstrate exemplary performance in the reading and writing of the English language.

GOAL 2: The students in the public education system will demonstrate exemplary performance in the understanding of mathematics.

GOAL 3: The students in the public education system will demonstrate exemplary performance in the understanding of science.

GOAL 4: The students in the public education system will demonstrate exemplary performance in the understanding of social studies.

KEY FUNCTIONS:

The Texas Education Agency is the administrative unit for primary and secondary public education. Under the leadership of the commissioner of education, the TEA:

- Administers the distribution of state and federal funding to public schools;
- Administers the statewide assessment program and accountability system;
- Provides support to the State Board of Education (SBOE) in the development of the statewide curriculum standards;
- Assists the SBOE in the instructional materials adoption process and managing the instructional materials distribution process;
- Administers a data collection system on public school information;
- Performs the administrative functions and services of the State Board for Educator Certification;
- Supports SBOE operations, including carrying out duties related to the Permanent School Fund; and
- Monitors for compliance with certain federal and state guidelines.

B. Do your key functions continue to serve a clear and ongoing objective? Explain why each of these functions is still needed. What harm would come from no longer performing these functions?

State and Federal Funds:

The agency is responsible for the administration of the Foundation School Program (FSP) as well as other state and federal formula and grant funds. The agency’s appropriation represents the largest single general revenue expense in state government with a total biennial appropriation of over \$33 billion. The primary duties include supervision and control of allocations and payments to public school districts, including charter schools, and administration of the recapture of local property taxes as required by the Texas Education Code, Chapter 41. The allocation and payment of funds to public schools continues to be a clear and ongoing function of the agency.

Assessment and Accountability System:

The agency is responsible for the development and administration of assessments used to evaluate the progress of Texas students at critical checkpoints as an integral part of a statewide accountability system and to fulfill the federally mandated requirements of the Elementary and Secondary Education Act

(ESEA). The agency is also charged with the planning and development of the state and federal public school accountability systems; planning and development of the performance-based monitoring system; and the research and development of education and data quality measures and publication of research reports in support of accountability system development. The goal of the Texas Student Assessment Program is to provide all eligible Texas students an appropriate statewide assessment that measures and supports their achievement of the essential knowledge and skills of the state-mandated curriculum, the Texas Essential Knowledge and Skills (TEKS). The primary purpose of the assessment program is to provide an accurate measure of student achievement in reading, writing, mathematics, science, and social studies. Test performance results are also used as a gauge for school district and campus accountability. So long as there is a commitment to ensuring student learning through standardized testing and public school accountability, this will continue to be an objective of the agency.

Statewide Curriculum Standards:

The agency provides state-level support, information and non-regulatory guidance to school administrators, teachers, counselors, parents, and students regarding general curriculum laws and rules, particularly with respect to graduation requirements, options for offering courses, and award of credit. The agency is responsible for supporting the development and implementation of the Texas Essential Knowledge and Skills (TEKS) in the foundation curriculum (English language arts, mathematics, science, and social studies) and the enrichment curriculum (career and technical education, health, physical education, fine arts, languages other than English, and technology applications). The agency also provides state-level program leadership in the areas of Bilingual education and English as a Second Language (ESL) for English language learners; Career and Technical Education (CTE); and advanced academics including Advanced Placement (AP)/International Baccalaureate (IB) incentive programs and Gifted/Talented education.

The agency's role in the development, implementation, and dissemination of the curriculum standards adopted and created by the State Board of Education is clear, ongoing, and necessary to ensure the state's commitment to updated college and career readiness standards.

Instructional Materials:

The agency is responsible for coordinating the review, adoption, purchase and distribution of instructional materials to all Texas public schools and open-enrollment charter schools. The Texas Constitution requires the State Board of Education to provide free textbooks for Texas' public school students, and the agency's role in the process is critical to complying with that directive and ensuring students receive appropriate instructional materials.

Data Collection:

The agency is responsible for the planning, management, and support of mission critical, school district data collection systems required for state and federal reporting. These include the Public Education Information Management System (PEIMS), which enables the administration of the state accountability and school finance systems, the Person Identification System (PID), PID Enrollment Tracking (PET), the Texas Electronic Records Exchange, (TREx), and the Texas Student Data System (TSDS). These systems combine the majority of school district data collections under one umbrella to streamline reporting, reduce duplication, provide consistency and accuracy of data, and produce a standard set of education related data definitions. This will continue to be a clear and ongoing objective of the agency. Absent the collection of accurate and timely data, the agency would be unable to distribute funds or to provide accountability and performance data about Texas schools.

Educator Certification:

The agency performs the administrative functions and services for the State Board for Educator Certification, which regulates and oversees all aspects of the certification, continuing education, and standards of conduct of public school educators. These services and functions include: ensuring that SBEC administrative rules and policies are lawfully adopted and enforceable; administering certification standards and school personnel assignment requirements; certifying all categories and classes of educators; approving, holding accountable, and regulating educator preparation programs; recruiting, developing, and setting appraisal standards for educators; reviewing criminal histories of educators and school employees; and conducting disciplinary investigations and proceedings based on allegations of educator abuse and misconduct. These functions represent a clear and ongoing objective of the agency in ensuring the provision of quality educators to Texas schools.

Permanent School Fund:

The agency's role is to work with the State Board of Education (SBOE) and its committees and with consultants to develop, implement, and oversee investment strategies and operations of the Texas Permanent School Fund (PSF) to help the PSF exceed its performance goals and legislative objectives. So long as the Texas Constitution continues to dedicate the PSF to the support of public education, there will continue to be a role for managing and administering the fund. Concurrently, as the student population of the state continues to grow, the amount of money provided by the PSF to the ASF will continue to increase in importance in order to help fund the costs of public education.

Federal and State Monitoring and Oversight:

State and federal statutes and regulations, including TEC, Chapter 39, require the agency to oversee districts through systems of accreditation, accountability, monitoring, and auditing. These systems promote improved student achievement and program effectiveness and provide for compliance with program requirements, including requirements related to the appropriate use of funds. The agency's major areas of responsibility are related to state and federal accountability monitoring and interventions; district and campus investigations and sanctions; district accreditation status assignment; program monitoring and interventions for the bilingual education/English as a Second Language, career and technical education, No Child Left Behind, and special education program areas; and data validation monitoring and investigations.

The federal statutes and regulations for NCLB, the Carl D. Perkins Career and Technical Education Act, and IDEA require state agencies to monitor the extent to which grantees are effectively meeting program goals and requirements. These federal laws specifically require the state to monitor whether grant funds are contributing to improved student performance for particular student groups, including students with disabilities, LEP students, migrant students, and students served in CTE programs. The agency conducts the monitoring and intervention activities for the performance-based monitoring system for the federal programs, including monitoring for compliance, correction of noncompliance, and reporting of monitoring and intervention activities. The agency's program monitoring and compliance functions, including audits, are required as a condition of federal funding and to ensure the appropriate use of public funds.

C. What evidence can your agency provide to show your overall effectiveness and efficiency in meeting your objectives?

In addition to the agency's key performance measures listed in question J below and to the individual agency program responses in Section VII, there are a number of other indicators of the successes and hard work of Texas' public school students and educators.

2009 National Assessment of Educational Progress (NAEP) Science

- Only eighth-grade students attending the Department of Defense schools scored higher than Texas' white students who tied with white students in Massachusetts.
- Among Hispanic students, Texas' eighth-grade students earned the seventh highest score.
- Among African-American students, Texas' eighth-grade students earned the eighth highest score.
- On the fourth-grade test, Texas' white students received the third highest average scale scores behind only Virginia and Massachusetts.
- Only African-American students in Virginia and at the Department of Defense schools scored higher than Texas students on the fourth-grade test.

Education Week's Quality Counts

- Overall grade of C+ (78.8) and a ranking of 13th in the country
- Grade of A in both "Transitions and Alignment" and "Standards, Assessments, and Accountability"

Class of 2011 ACT Results

- Record-high math score on the ACT exam, of 21.5, which was higher than the national average of 21.1.
- ACT scores from 2007 to 2011 showed increases in all four subjects.

Graduation Rates

- In 2009, Texas ranked 7th in a 26 state comparison of the only states reporting four-year on-time graduation rates. That year Texas' on-time graduation rate was 80.6%.
- The Texas on-time graduation rate for 2010 is now 84.3%.

Advanced Placement

- More Texans earned high scores ranging from 3 to 5 on Advanced Placement (AP) exams in 2010 than participated in the entire program in 2001.
- In 2010, 82,249 or 30.2 percent of Texas seniors took at least one AP exam during their high school years and 42,254 of those students earned a score of 3-5. In contrast, in 2001, a total of 39,456 or 18.3 percent of Texas seniors took an AP exam while in high school and 22,576 earned a score of 3 or higher.

Project Share Platform

- The agency's online platform designed to provide a collection of digital tools to a community of educators dedicated to improving teaching and learning through interactive and engaging online environments has seen rapid growth since its creation in 2009. The platform provides an online environment in which teachers can complete professional development courses, join professional learning communities, and access course content.
- The platform currently includes 337,676 educator accounts and 67,376 student accounts.

Data Quality Campaign 2010 State Analysis

- Only state to meet eight or more of the Data Quality Campaign's "10 State Actions to Ensure Effective Data Use."

- Met nine of the Data Quality Campaign’s “10 Essential Elements of Statewide Longitudinal Data Systems.” As of the summer of 2011, the agency now collects all of the essential elements.

D. Does your agency’s enabling law continue to correctly reflect your mission, objectives, and approach to performing your functions? Have you recommended changes to the Legislature in the past to improve your agency’s operations? If so, explain. Were the changes adopted?

The agency’s enabling law generally reflects the mission, objectives, and approach to performing the agency’s functions, but Section IX of this report identifies a number of statutory areas where changes could be made to streamline or improve the agency’s operations. Additionally, the current statutory provisions and requirements of the agency in the Texas Education Code contemplate a much larger agency than what was funded in the most recent legislative session. The legislature has consistently updated major sections of the Education Code to adapt to the changing needs and expectations for the agency and Texas’ schools. Since 2006, this vision has largely focused on preparing an increasing number of students for college and career readiness.

E. Do any of your agency’s functions overlap or duplicate those of another state or federal agency? Explain if, and why, each of your key functions is most appropriately placed within your agency. How do you ensure against duplication with other related agencies?

The agency’s key functions do not duplicate those of another state or federal agency. Where there is overlap between the responsibilities of the Texas Education Agency and those of another state or federal agency, this is generally done as a deliberate decision of the legislature to encourage collaboration among agencies, but each agency typically retains control over areas within its proper mission. An example is the P-16 Council, which is a collaborative effort between the Texas Education Agency, Texas Higher Education Coordinating Board, and Texas Workforce Commission.

F. In general, how do other states carry out similar functions?

In general, all states, and the District of Columbia, have agencies that oversee public education. In some states the public K-12 education system is considered separate from higher education, while in other states the same agency or board oversees both. In most states, the agency works in conjunction with a chief state school officer and a state board of education.

All states have a chief state school officer. In some states, the chief state school officer is appointed by the board of education (24) or the governor (12, including Texas). In 14 states, the chief state school officer is elected. All states but Wisconsin and Minnesota have a state board of education. In 10 states, including Texas, the entire board of education is elected. Three states have boards composed of both appointed and elected members, and 35 states have boards composed entirely of appointed members.

G. What key obstacles impair your agency’s ability to achieve its objectives?

- Balancing the agency’s mission with its resources. Although TEA is the cognizant agency for the largest enterprise in state government, public education, the administrative resources are low in proportion to the statutory expectations for the agency. TEA is not a direct services agency, but the statutory responsibilities, whether core functions or not, have remained or increased in recent years even as funding has decreased. The ongoing challenge is balancing and prioritizing

core functions with existing resources and ultimately about making choices as to what statutory provisions to implement and when to implement them.

- Increasing and uncertain role of the federal government. The federal government's role in public education has dramatically increased through the years, and this continues to pose challenges for TEA and for local school districts in administering the state's education priorities. Since the passage of the American Recovery and Reinvestment Act of 2009 (ARRA), the agency has been beset by a stream of federal auditors and overseers requiring reports, data, and other compliance-driven and input-based surveys. While the agency takes its role in ensuring appropriate fiscal and programmatic compliance seriously, the ongoing distractions and oversight from the federal government detract from the agency's focus on state educational priorities. Additionally, the federal government's support of national curriculum standards, whether as a requirement or an incentive, continues to create questions about state and federal roles in public education.
- Size and diversity of the state's schools. The state has over 1,200 independent school districts and charter schools, and these schools vary greatly in terms of their size, location, and demographic profile. The independence of Texas schools is one of their great strengths, but this independence and diversity will always create challenges in areas where the state's goal is to ensure standardization or consistency.

H. Discuss any changes that could impact your agency's key functions in the future (e.g., changes in federal law or outstanding court cases).

For the past several years Congress has not reauthorized the No Child Left Behind (NCLB) Act. The President and Secretary of Education have proposed the use of secretarial waivers to provide states and local school districts with relief from certain provisions of NCLB. At the time of this writing, the United States Department of Education has yet to release the process or procedures states will follow to submit a waiver or the provisions of NCLB that will be open to a waiver request and approval or the education reforms (such as: common core, national assessments, etc.) that the secretary might require in exchange for a waiver.

The state school finance system has a long history of litigation resulting in five Texas Supreme Court opinions on the constitutionality of the method of state funding for public schools, most recently the West Orange-Cove v. Neeley decision in 2005. Although no suit has been filed, some school districts have been quoted in the press as contemplating renewing that litigation.

I. What are your agency's biggest opportunities for improvement in the future?

With consistent leadership from the legislature and governor, Texas has established some of the most ambitious public education goals of any state in the country. The 2011-12 school year marks the first year of implementation of the State of Texas Assessments for Academic Readiness (STAAR). The new assessments are aligned to the state's college readiness curriculum standards and will be significantly more rigorous than previous tests. This new system will focus on increasing postsecondary readiness of graduating high school students and helping to ensure that Texas students are competitive with other students both nationally and internationally.

As the state implements the new assessment and accountability regime, there will be numerous opportunities for the agency to improve the type of support it provides to Texas schools in meeting the state's educational goals. The state has invested heavily in innovative programs and professional

development to prepare students for this challenge. The agency will need to learn the lessons from these investments and find cost-effective ways to communicate these lessons and best practices to schools.

Project Share represents an innovative approach to communicating with schools and to building professional learning communities of educators. The agency launched the online platform in late 2009 as a collection of applications that provide high quality professional development in an interactive and engaging learning environment. Project Share leverages existing and new professional development resources for K-12 teachers across the state and builds professional learning communities where educators can collaborate and participate in online learning opportunities. Identifying and building upon tools like Project Share should provide the agency with opportunities to support the state's goals.

J. In the following chart, provide information regarding your agency's key performance measures included in your appropriations bill pattern, including outcome, input, efficiency, and explanatory measures.

Texas Education Agency Exhibit 2: Key Performance Measures C Fiscal Year 2010			
Key Performance Measures	FY 2010 Target	FY 2010 Actual Performance	FY 2010 % of Annual Target
OC 1.1.1 % Students Completing High School	83.90	89.20	106.32%
OC 1.1.2 % African-American Complete HS	77.90	84.10	107.96%
OC 1.1.3 % Hispanic Complete High School	78.50	86.20	109.81%
OC 1.1.4 % White Complete High School	90.50	93.80	103.65%
OC 1.1.5 % Asian-American Complete High School	95.20	96.70	101.58%
OC 1.1.6 % Native American Complete HS	82.80	88.50	106.88%
OC 1.1.7 % Econ Disadv Complete High School	77.10	88.00	114.14%
OC 1.2.1 % Grad/Distinguished Achiev HS Pgm	12.60	11.87	94.21%
OC 1.2.8 % with Disabilities Graduate HS	94.60	69.80	73.78%
OC 1.2.9 % Eligible Students Taking AP/IB	22.70	21.42	94.36%
OC 1.2.10 % AP/IB Exams w/Coll Credit or AP	49.00	47.36	96.65%
OC 1.2.14 % Students Retained in Grade 3	2.70	2.30	85.19%
OC 1.2.12 % Exiting Bilingual/English as 2nd	82.00	88.80	108.29%
OC 1.2.15 % Students Retained in Grade 5	2.10	1.70	80.95%
OC 1.2.16 % Students Retained in Grade 8	4.00	1.50	37.50%
OC 1.2.23 % Students in Ext-Yr Pgms Promoted	90.00	90.92	101.02%
OC 1.2.24 % Adults Complete Enrolled Level	39	52	133.33%
OC 1.2.26 % Parents Complete AVANCE Level	68.00	83.74	123.15%
OC 1.2.28 % Campuses That Meet AYP	60.00	85.00	141.67%
OC 2.1.1 % Students Passing All Tests Taken	74.00	75.79	102.42%
OC 2.1.2 % AA Students Passing All Tests	58.00	64.44	111.10%
OC 2.1.3 % Hisp Students Passing All Tests	66.00	70.40	106.66%
OC 2.1.4 % White Students Passing All Tests	88.00	85.93	97.65%
OC 2.1.5 % Asian-Amer Stds Passing All Tests	93.00	92.11	99.04%
OC 2.1.6 % Native Amer Passing All Tests	78.00	76.95	98.65%
OC 2.1.7 % Econ Disadv Passing All Tests	64.00	68.12	106.44%
OC 2.1.8 % Students Passing TAKS Reading	93.00	89.87	96.63%
OC 2.1.9 % Students Passing TAKS Math	82.00	83.11	101.35%

Texas Education Agency
Exhibit 2: Key Performance Measures C Fiscal Year 2010

Key Performance Measures	FY 2010 Target	FY 2010 Actual Performance	FY 2010 % of Annual Target
OC 2.1.10 % Students Inc Accountability Sys	95.00	90.02	94.76%
OC 2.1.11 % Specl Ed Stds/Accountability Sys	93.00	54.15	58.23%
OC 2.1.12 % LEP Students/Accountability Sys	88.00	82.57	93.83%
OC 2.1.13 Annual Statewide Dropout Rate	2.60	2.00	76.92%
OC 2.1.14 % Districts/Exemplary or Recognized	15.00	67.60	450.67%
OC 2.1.15 % Campuses/Exemplary or Recognized	30.00	68.50	228.33%
OC 2.1.16 % Districts With Upgraded Ratings	60.00	78.90	131.50%
OC 2.1.17 % Campuses With Upgraded Ratings	70.00	85.80	122.57%
OC 2.1.20 % Charter Campuses Acad Unacc'able	30.00	6.40	21.33%
OC 2.2.4 Drug/Violence Rate on Campuses	17.78	16.94	95.28%
OC 2.2.5 % Incarcerated Complete Level	42.00	41.08	97.81%
OC 2.2.6 % Windham Served Past 5 Years	91.00	83.69	91.97%
OC 2.3.4 % Discretionary Grant Apps Proc	80.00	57.64	72.05%
OC 2.3.3 % Formula Grant Apps Processed	80.00	49.87	62.34%
OC 2.3.9 Teach Ret-Campus Part In EEAP	85	83	97.65%
OC 2.3.8 % Elig Districts Awarded EEG	21	97	461.90%
OP 1.1.1.1 Total Average Daily Attendance	4,486,789	4,470,379	99.63%
OP 1.1.1.2 Total Charter School ADA	95,813	90,079	94.02%
OP 1.1.1.3 # Students/Comp Ed Pgms & Services	2,487,428	2,283,490	91.80%
OP 1.1.2.1 # Districts Receiving IFA	398	355	89.20%
OP 1.1.2.2 State & Local Funds for Facilities	4.84	4.56	94.21%
OP 1.2.1.1 # Students/Pre-k Grant Programs	63,758	78,500	123.12%
OP 1.2.1.4 # Students/Accelerated Reading Prgm	650,000	465,826	71.67%
OP 1.2.1.5 # Students Tech Prep Programs	157,000	187,721	119.57%
OP 1.2.1.6 # LEP Students/Summer School Pgms	55,000	63,156	114.83%
OP 1.2.2.1 # Title I Campuses/Exemp or Recog	1,811	4,145	228.88%
OP 1.2.3.1 # Students/Reg Day Schools for Deaf	5,159	4,559	88.37%
OP 1.2.3.3 # Students/Visually Impaired Pgms	8,458	8,475	100.20%
OP 1.2.4.1 # Pregnant Teens and Parents Served	27,250	24,870	91.27%
OP 1.2.3.3 # Students/Visually Impaired Pgms	8,458	8,475	100.20%
OP 1.2.4.1 # Pregnant Teens and Parents Served	27,250	24,870	91.27%
OP 1.2.4.3 # Students/Optional Extended Yr Pgm	197,766	169,619	85.77%
OP 1.2.4.4 # Case-Managed CIS Students	84,000	89,575	106.64%
OP 1.2.5.1 # Students/ST Adult Ed Cooperatives	118,000	100,393	85.08%
OP 2.2.2.2 Number of Students in DAEPs	98,296	92,719	94.33%
OP 2.2.4.1 # Contact Hours/Windham Inmates	16,953,642	16,325,490	96.29%
OP 2.2.4.2 # Offenders Passing GED	4,800	5,287	110.15%
OP 2.3.2.1 # LEAs with Assess't Interventions	105	55	52.38%
OP 2.3.2.2 # GED Certificates Issued	35,000	34,483	98.52%
EF 1.2.4.1 Avg State Cost/CIS Participant	237.46	223.91	94.29%
EF 2.2.4.1 Avg Cost Contact Hour/Windham Dstct	3.78	3.91	103.44%
EF 2.3.2.1 Perf Above Bench (Int Mgr)	101.00	106.08	105.03%
EX 1.1.1.2 Full-Time Equivalents/Special Ed	127,639	118,605	92.92%
EX 1.1.1.3 ADA/Compensatory Education	2,678,991	2,829,438	105.62%
EX 1.1.1.4 Fulltime Equivalents/Career-Tech Ed	174,133	190,217	109.24%
EX 1.1.1.5 ADA/Bilingual Education - ESL	688,436	687,944	99.93%

**Texas Education Agency
Exhibit 2: Key Performance Measures C Fiscal Year 2010**

Key Performance Measures	FY 2010 Target	FY 2010 Actual Performance	FY 2010 % of Annual Target
EX 1.1.1.6 ADA/Gifted and Talented	218,419	216,042	98.91%
EX 1.2.4.1 # Open Enrollment Charter Schools	212	209	98.58%
EX 2.3.2.1 Avg Percent Equity Holdings in PSF	59.00	63.56	107.73%
EX 2.3.2.3 PSF Market Value (Billions)	17.90	21.50	120.11%

III. History and Major Events

The following is a timeline of TEA’s history and key events, including:

- **the date TEA was established;**
- **the original purpose and responsibilities of TEA;**
- **major changes in responsibilities or statutory authority;**
- **changes to policymaking bodies;**
- **significant changes in state/federal legislation, mandates, or funding;**
- **significant state/federal litigation that specifically affects TEA’s operations; and**
- **key changes in TEA’s organization (e.g., a major reorganization of the agency’s divisions or program areas).**

- 1854** The Common School Law of 1854 provided for the first state public school system in Texas and created a special fund for schools that is known today as the Texas Permanent School Fund.
- 1866** The Texas Constitution legalized the appointment of a state superintendent of public instruction and required public school teachers to obtain certificates.
- 1867** The Bureau of Education, which later became the Office of Education, was established.
- 1873** Reconstruction ends and the school education fund becomes the Permanent School Fund, established to assist public education.
- 1876** The Constitution of 1876 stipulated that certain lands and all proceeds from the sale of these lands constitute the Permanent School Fund.
- The Constitution of 1876 abolished the state superintendency of public instruction.
- 1884** The state superintendency of public instruction was restored as an elective office with a two-year term.
- 1893** The El Paso Board of Education opened the state’s first public kindergarten.
- 1903** The legislature created a state textbook selection board to approve state-adopted texts; however, financing the books remained a parental responsibility.
- 1915** Texas enacted its first compulsory attendance law. Students were required to attend school for 60 days in 1916-17; 80 days in 1917-18; and 100 days in 1918-19.
- 1928** A constitutional amendment changed the composition of the State Board of Education to a State School Board composed of nine members appointed by the governor with approval of the Senate.
- 1948** A district judge ruled against the segregation of Mexican-American children in public schools in *Delgado vs. Bastrop ISD*

1949 The Central Education Agency was established with passage of the Gilmer-Aikin laws. The purpose and responsibilities of the agency were to exercise general control of the system of public education at the state level in accordance with law; to be the policy-forming and planning body for public education; and to administer the Foundation School Program. Passage of the Gilmer-Aikin laws also created the Minimum Foundation Program to apportion state funds to local school districts and created an elected State Board of Education that appointed the commissioner of education.

The State Board of Education districts were aligned with congressional districts (then 21 members).

1954 The U.S. Congress bestowed Texas clear title to its submerged coastal lands to a distance of 10.35 miles. All land within that limit became the Texas Permanent School Fund lands. All proceeds from the sale or rental of these lands become the corpus of the fund.

The U.S. Supreme Court ruled segregated schools unconstitutional in *Brown v. Board of Education*.

1961 The State Board of Education authorized to invest in corporate securities, including corporate bonds and common stocks.

1963 The Vocational Act of 1963 (P.L. 88-210) passed, replacing the first federal vocational legislation (the Smith-Hughes Act of 1917). The Vocational Act of 1963 substantially increased funding for vocational education and established a federal definition of vocational education.

1964 The Economic Opportunity Act (P.L. 88-452) passed, creating the first Adult Basic Education program as a state grant designed to focus on the most basic of educational skills for adults who had not completed secondary education. State financial allotments were made on the basis of the relative number of persons 18 years old and older who had completed no more than five grades of school.

1965 Congress passed the Elementary and Secondary Education Act (ESEA) with a primary focus on improving educational opportunities for economically disadvantaged students. The ESEA led to an increase in both federal education funding and federal regulation of education.

[1965-1994] ESEA was expanded to include additional populations and program areas, including bilingual education, migrant education, Indian education, neglected and delinquent youth, technology, violence prevention, safe and drug-free schools, Even Start, gifted and talented, charter schools, and maintenance/construction of school buildings.

1965 Regional education media centers, which became regional education service centers, were created.

The Office of Economic Opportunity launched Project Head Start, a preschool program for low-income families.

- 1967** Regional media centers were converted to be 20 regional education service centers, which served as state-supported resource centers.
- 1968** An Edgewood ISD parent, Demetrio Rodriguez, filed a class action lawsuit in federal court challenging the Texas school finance system.
- 1970** Title VI was separated from ESEA and expanded to form a separate Education of the Handicapped Act. This later became the Education for All Handicapped Children, then the Individuals with Disabilities Education Act (IDEA). These particular laws resulted in extensive procedural requirements for identification and appropriate education for eligible students, including requirements for placement in the "least restrictive environment."
- 1970-71** A minimum of 180 days of actual classroom instruction was mandated by the State Board of Education.
- 1971** A court order from the U. S. District Court for the Eastern District of Texas, Tyler Division, in Civil Action No. 5281, specified duties and responsibilities of the agency in connection with desegregation, including reviews of student transfers, changes in school district boundaries, school transportation routes, extracurricular activities, and other areas.
- 1973** The Texas Legislature enacted the Bilingual Education and Training Act, which mandated bilingual instruction for all Texas elementary public schools that had 20 or more children with limited English skills.
- 1974** The Texas Legislature created the Regional Day Schools for the Deaf.
- 1975** The Texas Legislature passed major school finance reform (House Bill 1126). Elements of reform included the provision of the first state compensatory funds, the shift from a Minimum Foundation Program to a Foundation School Program with a greater state share of funding, provision for equalization formulas, and greater equity in calculation of the local share (local fund assignment).
- The Federal Education of the Handicapped Act (P.L. 94-142) passed with extensive procedural requirements for identification and appropriate education for handicapped students, including requirements for placement in the "least restrictive alternative" setting.
- 1979** The U.S. Department of Education was created.
- Statewide student testing program was instituted. The initial program, Texas Assessment of Basic Skills (TABS), tested students in Grades 5 and 9 in 1980 and in Grades 3, 5 and 9 in 1982. The TABS remained the statewide assessment until 1984.
- 1981** House Bill (HB) 246, passed by the 67th Texas Legislature, mandated that all ISDs provide a uniform state-developed curriculum consisting of essential elements for every subject area.
- 1984** HB 72, a comprehensive reform bill enacted by the 68th Texas Legislature, Second Called

Session, mandated sweeping changes in the Texas public education system. This legislation changed the state's system of school finance and called for an appointed SBOE; student mastery of the state-mandated competency tests for high school graduation; the "no pass, no play" rule; local school board training, teacher testing and career ladders; increased compulsory attendance requirements; the five-day-per-semester student absence rule; and a 22:1 student-teacher cap on enrollment in kindergarten through fourth grade.

- 1985** The Texas Educational Assessment of Minimum Skills (TEAMS) replaced the TABS exam. Along with this change, came a requirement that students must pass the exit-level TEAMS test, beginning with the Class of 1987, to receive a high school diploma.
- 1987** The 70th Texas Legislature proposed a referendum to let voters decide whether the SBOE should remain an appointed body. Voters supported the decision to return the SBOE to an elected board.
- 1987-88** Data are collected for the first time through the Public Education Information Management System (PEIMS).
- 1989** Senate Bill (SB) 417, enacted by the 71st Texas Legislature, Regular Session, mandated a performance indicators system, the Academic Excellence Indicator System (AEIS), which was implemented in the 1990-1991 school year.
- The State Board of Education changed from a 15-member appointed board to a 15-member elected board.
- 1990** SB 1, enacted by the 71st Texas Legislature, Sixth Called Session, mandated the Texas Assessment of Academic Skills (TAAS) testing program, which was implemented during the 1990-1991 school year.
- 1991** The governor, for the first time, appointed the commissioner of education.
- Rulemaking authority was provided to the commissioner of education.
- 1993** The legislature adopted SB 7 revising the state funding system, providing wealthy districts five options to reduce wealth, and establishing criteria to create ratings for an accountability system, including district performance on the TAAS, attendance, dropouts, and other criteria.
- 1995** The Texas Supreme Court upheld the constitutionality of the school finance provisions of SB 7, enacted by the 73rd Texas Legislature in 1993. The court ruled that the guaranteed yield provision in SB 7 reduced the disparities in spending between property-rich and property-poor districts. The court also established that the bill's guaranteed yield provision enabled every school district in the state to meet or exceed requirements for accrediting education programs.

The 74th Texas Legislature enacted SB 1, which significantly overhauled the TEC. The revised code emphasized excellence in core academic subjects, innovation in local programs, increased local decision making, and accountability for student achievement. It streamlined the state’s waiver process, and it created the State Board of Educator Certification (SBEC). The revised code modified the “no pass, no play” rule, established a required curriculum for kindergarten through grade 12, and altered the state’s system of approving and purchasing textbooks.

SB 1 established new roles and relationships between state, regional, and local educators and strictly defined and limited the powers of TEA, the SBOE, and regional education service centers (ESCs). In addition to limiting these entities to specifically delegated functions, the Education Code abolished the public education rules in the Texas Administrative Code (TAC) during review by the Texas Sunset Advisory Commission.

1996 TEA reduced its number of full-time equivalent employees (FTEs) by 22%, from the 1994 budgeted level of 1,144 to 889. As part of this reduction, technical assistance functions were decentralized to the regional ESCs.

The State Board of Education authorizes the creation of the state’s first 20 charter schools.

1997 With the transfer of educator preparation and certification functions to the SBEC, the number of FTEs at the agency was reduced to 834.

The 75th Texas Legislature addressed the state’s system of school funding in HB 4. The bill provided significant property-tax relief through increased exemptions, created a new program for funding facilities, provided transition to a higher minimum salary schedule for teachers, and dedicated state lottery proceeds to public education.

The SBOE completed adoption of the Texas Essential Knowledge and Skills (TEKS). As the first major rewrite of state curriculum requirements since 1981, the TEKS set higher standards for the content and skills that students must acquire. Schools were required to implement the TEKS beginning with the 1998–1999 school year.

The 75th Texas Legislature created the Texas Reading Initiative to improve students’ fundamental reading skills in the early grades.

1999 The Student Success Initiative (SSI), originated by the 76th Texas Legislature, phased in new standards in reading and mathematics for student promotion at grades 3 (reading only), 5, and 8. The intent of the law was to ensure that all students could perform at grade level in reading and mathematics and to eliminate the practice of social promotion. In addition, the 76th Texas Legislature mandated a new statewide student assessment system, the Texas Assessment of Knowledge and Skills (TAKS), to be implemented no later than the 2002–2003 school year.

The 76th Texas Legislature fully funded the estimated amount to support the statutory public school finance system. SB 4 revised the funding elements of the Foundation School

Program (FSP) to increase state aid to ISDs by almost \$1.4 billion for the 2000–2001 biennium via a \$141 increase in the basic allotment. SB 4 also provided a \$3,000 annual salary increase in the 1999–2000 school year for every teacher, counselor, librarian, and nurse in Texas public schools.

- 2001** SB 218 in the 77th Texas Legislature required the commissioner to adopt rules for the implementation and administration of a school district financial accountability rating system.

The governor launched the Mathematics Initiative to train teachers to instruct students with research-based strategies proven successful for increasing student performance.

The structure and operation of open-enrollment charter schools was modified. New provisions included the strengthening of governance and financial regulations and increased accountability.

- 2002** The No Child Left Behind Act of 2001 (NCLB) reauthorized the federal Elementary and Secondary Education (ESEA) Act and extended accountability provisions that previously applied to only Title I funded campuses to all campuses (first AYP designations assigned to 2003).

- 2003** The 78th Texas Legislature overcame a \$9.9 billion budget deficit by focusing on improving government efficiency, restructuring and streamlining the operations of state agencies, decreasing the number of FTEs and the size of budgets, and maximizing the use of all funding sources, particularly federal funds. Despite this budget challenge, the legislature continued its decades-long commitment to standards-based education reform, increasing public education funding by \$1.2 billion. In addition, major initiatives supporting student achievement and high school completion were enacted.

The 78th Texas Legislature mandated a new approach to compliance monitoring for TEA. HB 3459 limited TEA's role to ensuring compliance with federal laws and regulations, financial accountability, and data integrity. It authorized TEA to conduct on-site monitoring based upon an analysis of risk factors. Under this law, ISDs and charter schools were the primary entities responsible for ensuring compliance with all requirements of state education programs. The law preserved TEA's monitoring of state special education compliance, allowing special accreditation visits and special investigations. HB 3459 also directed TEA to audit dropout records electronically.

The Governor's Science Initiative and the High School Completion Initiative were created. The Science Initiative, modeled after the Reading and Mathematics Initiatives, was designed to improve student achievement in science through teacher training, more intensive instruction, and high-quality instructional materials. The High School Completion Initiative, enacted by SB 1108, required personal graduation plans for all students at risk of dropping out of school and provided a comprehensive program of intensive instruction in support of high school graduation. In addition, SB 976 created a pilot Middle College Grant Program to ensure the continued success, sustainability, and expansion of Middle and Early College High Schools. The grant focused on capturing and disseminating best practices in order to

allow for replication of these school models, which gave students who would not typically go on to college an opportunity to pursue postsecondary studies. The grant program was the precursor to TEA's current Early College High School (ECHS) grant programs. The Governor also launched the Early Childhood Initiative.

The Texas Assessment of Knowledge and Skills (TAKS) was first administered to students enrolled in Grades 3-11. The English-version TAKS tests were administered to students in Grades 3-9 in reading; in Grades 4 and 7 in writing; in Grades 10 and 11 in English language arts; in all grades in mathematics; in Grades 5, 10, and 11 in science; and in Grades 8, 10, and 11 in social studies. The Spanish-version TAKS tests were administered to students in Grades 3-6 in reading; in Grade 4 in writing; in all grades in mathematics; and in Grade 5 in science. The TAKS study guides were developed and provided to students who did not meet the standard for one or more portions of the TAKS tests. Students enrolled in Grade 3 had three opportunities to pass the appropriate state-mandated reading assessment to be promoted to Grade 4, as required by the Student Success Initiative. Under this initiative, if a student failed the TAKS reading test twice, a grade placement committee, comprised of the student's parent or guardian and school personnel, convened to determine the appropriate accelerated instruction for the student. A Grade Placement Manual was developed to guide these committees in making their decisions.

The agency issued Adequate Yearly Progress evaluations for Texas schools and districts, required under the No Child Left Behind Act of 2001.

2004 As a result of budget cuts in the previous year, TEA's workforce was reduced by 11% in 2004 from a 2003-budgeted level of 860.5 FTEs to 766.2. In addition, the agency eliminated all non-core functions, which included reducing resources dedicated to state monitoring activities.

The 2004 TAKS spring administration marked the first time students enrolled in grade 11 were required to pass exit-level TAKS tests to fulfill state-mandated graduation testing requirements. The following four exit-level TAKS tests were established: English language arts (ELA), mathematics, science, and social studies. Students were provided five opportunities to pass these four exit-level assessments before their regularly scheduled graduation dates.

2005 The 79th Texas Legislature passed SB 42, which addressed many components of health education. It authorized the SBOE to adopt rules, including a requirement for daily physical activity, for grades 6–8. The legislation required TEA, in consultation with the Department of State Health Services, to designate nationally recognized health and physical education guidelines for the use of ISDs.

In August 2005, Governor Perry issued Executive Order No. RP-47, directing the commissioner of education to include in the school financial accountability rating system an indicator establishing a requirement that 65% of school district funds be expended for instructional purposes, as defined by the National Center for Education Statistics.

In the fall of 2005, Hurricanes Katrina and Rita created many challenges for TEA and Texas

public schools. TEA assisted ISDs in the enrollment of over 45,000 displaced students from areas impacted by Hurricane Katrina in Louisiana. During Hurricane Rita, approximately 145,000 students were temporarily displaced from Texas public schools.

On November 22, 2005, the Texas Supreme Court ruled that the then-current school property-tax system violated the Texas Constitution, which states “No State ad valorem taxes shall be levied upon any property within this State.” The Court gave the Texas Legislature until June 1, 2006 to make changes to the system.

In December 2005, the governor issued Executive Order No. RP-53, which directed TEA to work with the Texas Higher Education Coordinating Board (THECB) to enhance college-readiness standards and programs for Texas public schools.

2006 The Third Called Session of the 79th Texas Legislature, which began work in April 2006, passed HB 1, dealing most notably with the issue of school property-tax rates. The bill reduced local property taxes, mandating a one-third reduction in school district maintenance and operations taxes by 2007 and provided ISDs with meaningful discretion through access to local enrichment

HB 1 also included several provisions related to teacher compensation and quality, such as a \$2,000 salary increase for all teachers, counselors, librarians, and school nurses, and the conversion of the \$500 health insurance supplement to salary. New performance-pay incentive programs intended to reward educators for improved student achievement were also included in HB 1.

Continuing the focus on high school success, HB 1 also established the High School Allotment funded at the rate of \$275 per student in grades 9–12. The funding was directed at initiatives to decrease dropout rates, promote graduation, and prepare for postsecondary education. High school students were also required to complete four credits in math and science to graduate from high school.

HB 1 also covered accountability, financial transparency, and efficiency. The bill called for new ISD accreditation standards that consider both financial and academic performance. Provisions were also included to make ISD financial data accessible to the public and to establish an electronic student records system to allow for the rapid transfer of records among public schools and institutions of higher education (IHEs).

2007 The 80th Texas Legislature passed HB 2237, establishing a variety of pilot projects and grant programs for dropout prevention, high school success, and postsecondary readiness. The bill expanded state efforts to improve the graduation rate and reduce the dropout rate by providing \$57.4 million in funding for the family of innovative Texas High School Project grant programs and another \$50 million in new funding for other high school initiatives.

The 80th Texas Legislature also passed SB 1031. This bill replaced TAKS for grades 9–11 with end-of-course (EOC) assessments in the four core subject areas of math, science, ELA, and social studies. Freshmen entering high school in 2011–2012 were identified to be the first class required to take the EOC assessments. SB 1031 also created the Select Committee on

Public School Accountability to conduct a comprehensive review of the public school accountability system.

SB 9, also passed by the 80th Texas Legislature, was directed at ensuring a safe school environment in Texas public schools. Every certified employee of a Texas ISD was required to be fingerprinted and to undergo a national criminal-history background check by September 1, 2011. This legislation also created a clearinghouse at the Texas Department of Public Safety for national criminal history information.

2009 The 81st Texas Legislature passed HB 3 to reform the state’s public school accountability system. This legislation modified the accountability system to align to postsecondary readiness standards, promoted efficient use of resources, and recognized excellence at individual campuses. The bill also repealed the requirement that the school financial accountability rating system include an indicator requiring ISDs to expend at least 65% of school district funds for instructional purposes.

HB 3646 revised the school finance system by changing the calculations of the basic allotment, guaranteed yield allotment, and equalized wealth level for ISDs. It appropriated an additional \$1.87 billion to public schools. The bill commissioned a comprehensive review of public school finance by establishing a 15-member Select Committee on Public School Finance Weights, Allotments and Adjustments

HB 4294 required the commissioner of education to adopt a list of electronic textbooks and instructional materials that convey information to a student or otherwise contribute to the learning process. It also established a computer lending pilot program to provide computers to public schools in which 50% or more of the students enrolled are educationally disadvantaged and to make computers available for use by students and parents.

2010 The Fifth Circuit Court of Appeals issued a decision in the longstanding statewide desegregation order (often called “Civil Action (CA) 5281”) stating that the order should be modified to no longer apply to districts that either have been declared unitary by a federal court or are under the continuing jurisdiction of another federal court in a desegregation proceeding. The decision also allows all other districts in Texas to be removed from the order by the trial court unless proven to continue to implement vestiges of the former dual school system.

2011 The 82nd Texas Legislature passed Senate Bill 1 (First Called Session) that implements a new school finance plan. The new plan enacts a formula reduction in fiscal year 2012 that results in an average reduction in revenue of 6% compared to fiscal year 2011. In fiscal year 2013, the average reduction in revenue will increase to 9% compared to fiscal year 2011 due to reductions in the hold harmless funds received for tax rate reduction.

The legislature also passed Senate Bill 6 in the First Called Session, which significantly modified the funding and process for adopting instructional materials and paying for technology by creating an instructional materials fund and a per student instructional materials allotment (IMA) with adjustments for districts with high enrollment growth

The trial court in Civil Action 5281 entered an order dismissing all but the original nine districts from the case. The agency and Attorney General's Office are working with the U.S. Department of Justice to reach an agreed dismissal of those districts.

As a result of reductions to the agency's general revenue funding, the agency reduced its workforce from 1,060 in January to 717 by July leading to a major reorganization that will take effect September 1, 2011. Discretionary grant programs at the agency also saw significant reductions, including reductions of over \$367 million to Educator Excellence Awards Programs, over \$200 million to prekindergarten programs, and over \$270 million to the Student Success Initiative.

IV. Policymaking Structure

Please note that Section IV is broken into two sections, one for the State Board of Educator Certification (SBEC), and one for the State Board of Education (SBOE). The question headers have been modified to reflect which policymaking body is being discussed.

A. The following chart provides information on SBEC members.			
Texas Education Agency Exhibit 3: State Board of Educator Certification Policymaking Body			
Member Name	Term/ Appointed By	Qualification	City
Brad Allard	05/06/09-02-01/15 / Governor	Teacher	Burleson
Susan Barnes	No set term / THECB	The Higher Education Coordinating Board	Austin
Laurie Bricker	12/28/09-02/01/13 Governor	Citizen	Houston
Sandra Bridges	05/14/08-02/01/13 / Governor	Teacher	Rockwall
Bonny Cain	08/27/03-01/01/09 / Governor 05/06/09-02/01/15 / Reappointed by Governor	Administrator	Waco
Curtis Culwell	03/16/10-02/01/11 / Governor 05/13/11-02/01/17 / Reappointed by Governor	Administrator	Garland
Jill Druesedow	02/09/07-02-01/13 / Governor	Teacher	Haskell
Kathryn Everest	05/13/11-02-01/15 / Governor	Counselor	Fort Worth
Suzanne Garcia McCall	05/03/11-02-01/17 / Governor	Teacher	Slaton
Christie Pogue	07/14/06-02/01/11 / Governor 05/13/11-02/01/17 / Reappointed by Governor	Citizen	Buda
Judy Robison	05/06/09-02-01/15 / Governor	Citizen	El Paso
Grant Simpson	05/06/09-02/01/11 / Governor 05/13/11-02/01/17 / Reappointed by Governor	Dean	Austin
Homer Trevino	02/09/07-02/11/13 / Governor	Citizen	Waco

B. Describe the primary role and responsibilities of SBEC.

Pursuant to TEC 21.031, the SBEC regulates and oversees all aspects of the certification, continuing education, and standards of conduct of public school educators. As provided by TEC 21.031, 21.040, and 21.041, the SBEC proposes, adopts, and reviews rules and policies that ensure that all candidates for certification or renewal of certification demonstrate the knowledge and skills necessary to improve the performance of the diverse student population of this state.

C. How is the SBEC chair selected?

As required by the Texas Education Code (TEC) §21.036, the Board must elect one of its members to serve as chairperson for a two-year term. The election is held during a regular scheduled board meeting.

D. List any special circumstances or unique features about the SBEC or its responsibilities.

As provided by TEC 21.035, the administrative functions and services of the SBEC are provided by TEA. The SBEC is responsible for adopting policies and rules, and for the final hearing and issuing final orders of educator disciplinary cases. The SBEC adoption process is especially lengthy, taking a minimum of six months, because SBEC rules must be proposed, published, adopted, presented to the State Board of Education for review and possible veto, and published again before they become effective.

E. In general, how often does SBEC meet?

The SBEC met five times in FYs 2010 and 2011. However, TEC 21.038 only requires the SBEC to meet quarterly, so four meetings are scheduled for FY 2012.

F. What type of training do members SBEC receive?

New members must attend an orientation before attending their first board meeting. The orientation includes the following: a. Board mission, goals, objectives, and strategic plan; b. Board organization, function, and powers and duties; c. Board member responsibilities, including the proper role of the member in policy making, deliberations, communications, and relations with the administrative staff of the Texas Education Agency; d. Standards of conduct as public officials; e. Board meetings and other Board functions; f. Legislative and rule-making processes; g. Texas open government laws, including information regarding mandatory training in open meetings and public information as required by the chapters 551 and 552 of the Texas Government Code; h. Disciplinary proceedings including pertinent Board rules and the Texas Administrative Procedure Act; i. Texas Education Agency staff functions (certification, accountability, professional discipline, recruitment & retention, general administration); and j. Travel reimbursement/*per diem* procedures and state regulations.

G. Does your agency have policies that describe the respective roles of SBEC and agency staff in running the agency? If so, describe these policies.

The SBEC and the TEA have entered into a series of memorandum agreements relating to the provision by TEA of the administrative services and functions of the SBEC, including a description of the role and obligations of the TEA and the delegation of SBEC authority to TEA. The current Memorandum of Agreement is effective through April 9, 2012, and automatically renews for additional one year terms unless 60 days notice of intent not to renew is given.

H. What information is regularly presented to SBEC to keep them informed of your agency's performance?

Department quarterly performance updates are provided to the board at every meeting.

I. How does SBEC obtain input from the public regarding issues under the jurisdiction of the agency? How is this input incorporated into the operations of your agency?

As provided by TEC 21.033, the SBEC membership ensures that various members of the public who have interests in public education are represented because the board consists of at least four members who are public school teachers, two who are public school administrators, one who is a public school counselor, three who are citizens who have not been employed in public education in the last five years, and one who is a citizen who has not ever been employed in public education. The SBEC and TEA, on behalf of the SBEC, appoint and consult advisory committees regarding certification content areas, educator preparation programs, and other educator certification matters, and hold open stakeholder meetings and webinars whenever major rule revisions are contemplated. All rule actions are published after they are formally proposed and SBEC receives and responds to all public comments prior to final rule adoption. SBEC rules provide that a citizen may petition the SBEC to adopt a new rule or amend an existing one.

J. If SBEC uses subcommittees or advisory committees to carry out its duties, fill in the following chart.

The only current SBEC standing committee is the Legislative Committee, which makes legislative recommendations and monitors and reviews bills pending before the Texas Legislature, and is normally active only during and immediately prior to biennial legislative sessions. The SBEC and TEA, on behalf of the SBEC, appoint and consult advisory committees regarding certification content areas, educator preparation programs, and other educator certification matters.

Texas Education Agency Exhibit 4: SBEC Subcommittees and Advisory Committees			
Name of Subcommittee or Advisory Committee	Size/Composition/How are members appointed?	Purpose/Duties	Legal Basis for Committee
SBEC Legislative Committee (not currently a functioning committee)	3 SBEC members and the TEA representative./SBEC Chair appoints	Committee was established to monitor and review legislative bills that affect the board and to propose legislative recommendations to the board for consideration	
Educator Certification and Standards Advisory Committee	21 members/committee reflects the proportionate representation of the various types programs, ISD's, universities, alternative certification programs, organizations, and ESC's/nominations are submitted to TEA and a TEA Staff of 3 reviews and through calibration selects the most appropriate candidates	Committee will advise and make recommendations to the agency and the Board on matters relating to the educator preparation programs in Texas.	Texas Education Code §21.040(3)

A. The following chart provides information on SBOE members.

Texas Education Agency Exhibit 3: State Board of Education Policymaking Body			
Member Name	Term/ Appointed By	Qualification	City
Carlos “Charlie” Garza	Elected District 1; 1/1/11- 1/1/13	Outlined in TEC§7.103	El Paso
Mary Helen Berlanga (secretary)	Elected District 2; 1/1/09-1/1/13	Outlined in TEC§7.103	Corpus Christi
Michael Soto	Elected District 3; 1/1/11-1/1/13	Outlined in TEC§7.103	San Antonio
Lawrence Allen, Jr.	Elected District 4; 1/1/11-1/1/13	Outlined in TEC§7.103	Fresno
Ken Mercer	Elected District 5; 1/1/11-1/1/13	Outlined in TEC§7.103	San Antonio
Terri Leo	Elected District 6; 1/1/09-1/1/13	Outlined in TEC§7.103	Spring
David Bradley	Elected District 7; 1/1/09-1/1/13	Outlined in TEC§7.103	Beaumont
Barbara Cargill (chair)	Elected District 8; 1/1/09-1/1/13	Outlined in TEC§7.103	The Woodlands
Thomas Ratliff	Elected District 9; 1/1/11-1/1/13	Outlined in TEC§7.103	Mount Pleasant
Marsha Farney	Elected District 10; 1/1/11-1/1/13	Outlined in TEC§7.103	Georgetown
Patricia Hardy	Elected District 11; 1/1/09-1/1/13	Outlined in TEC§7.103	Weatherford
George Clayton	Elected District 12; 1/1/11-1/1/13	Outlined in TEC§7.103	Richardson
Mavis Knight	Elected District 13; 1/1/09-1/1/13	Outlined in TEC§7.103	Dallas
Gail Lowe	Elected District 14; 1/1/09-1/1/13	Outlined in TEC§7.103	Lampasas
Bob Craig (vice chair)	Elected District 15; 1/1/11-1/1/13	Outlined in TEC§7.103	Lubbock

B. Describe the primary role and responsibilities of the SBOE.

The board’s powers and duties are listed in TEC§7.101 but its primary duties include providing oversight over the Permanent School Fund, an endowment for the public schools, and establishing curriculum standards for the public schools.

C. How is the SBOE chair selected?

The chair is appointed by the governor for a two-year term. The chair can be re-appointed for one additional two-year term. The governor selects the chair from one of the 15 members of the board.

D. List any special circumstances or unique features about the SBOE or its responsibilities.

The State Board of Education is one of only two executive boards elected statewide in Texas and is the only one that is elected from single-member districts. While the board has fiduciary responsibility over the Permanent School Fund (PSF), it has no authority over the PSF staff. The commissioner of education hires and fires that staff as he does all Texas Education Agency staff.

E. In general, how often does the SBOE meet? How many times did it meet in FY 2010? In FY 2011?

The board is required to meet at least four times a year by statute. (TEC §7.106) However, it met six times in FY2010 and will meet five times in FY2011.

F. What type of training do members the SBOE receive?

Board members undergo open meetings/open records and ethics training. They also receive specialized training, such as on investment issues on different asset classes; standard setting for testing; and on textbook adoption issues on an as needed basis.

G. Does your agency have policies that describe the respective roles of the SBOE and agency staff in running the agency? If so, describe these policies.

The duties for public education at the state level are shared between the commissioner of education, the Texas Education Agency, the State Board of Education, and the State Board for Educator Certification. Their respective roles are best described in the Texas Education Code.

H. What information is regularly presented to the SBOE to keep them informed of your agency's performance?

The commissioner of education briefs the board at each board meeting about key agency developments. The board also receives reports on the agency administrative budget, audit plans, Permanent School Fund investment results and other investment/performance issues, amendments to charter school contracts, updates on revisions to the Texas Essential Knowledge and Skills curriculum standards, the four-year rule review process and pending litigation.

I. How does the SBOE obtain input from the public regarding issues under the jurisdiction of the agency? How is this input incorporated into the operations of your agency?

The State Board of Education has an elaborate mechanism for obtaining public input. It obtains comments by posting proposed rules on the Texas Register and allowing the public to comment. It holds public hearings on issues such as the revision of curriculum standards and textbook adoptions. It receives thousands of emails annually. It also receives numerous phone calls and letters. The board considers this input and incorporates much of it into policies. The adoption of the new Texas Essential Knowledge and Skills is an example of a policy in which public comment resulted in many amendments to the original proposal.

J. If SBOE uses subcommittees or advisory committees to carry out its duties, fill in the following chart.

Not Applicable

V. Funding

A. Brief description of TEA's funding.

For FY 2010, Texas Education Agency was funded from a variety of funding sources including the following Methods of Finance (MOF):

- General Revenue (GR)
- General Revenue - Dedicated (GR-D)
- Federal Funds
- Other Funds

B. List of all riders significantly impacting TEA's budget.

General Revenue (GR) makes up the largest overall MOF at TEA and the largest fund within that category is Fund No. 193 Foundation School Fund. As the majority of the agency's funding is passed through to School Districts from the Foundation School Program, Rider No. 3 represents the most significant funding Rider (while the agency's remaining Riders are important to clarify the uses/limitations of other specific appropriated funds).

C. TEA's expenditures by strategy.

Texas Education Agency Exhibit 5: Expenditures by Strategy, FY 2010		
Strategy	Total Amount	Contract Expenditures Included in Total Amount
A.1.1 FSP - Equalized Operations	17,325,287,321	
A.1.2 FSP - Equalized Facilities	686,250,000	
A.2.1 Statewide Educational Programs	460,472,176	
A.2.2 Achievement of Students at Risk	1,924,567,308	
A.2.3 Students with Disabilities	1,098,348,202	
A.2.4 School Improvement and Supports Programs	187,521,657	
A.2.5 Adult Education & Family Literacy	70,609,684	
B.1.1 Assessment & Accountability System	74,875,754	
B.2.1 Technology & Instructional Materials	764,672,307	
B.2.2 Health & Safety	58,793,085	
B.2.3 Child Nutrition Programs	1,424,396,705	
B.2.4 Windham School District	64,058,448	
B.3.1 Improving Educator Quality & Leadership	448,329,405	
B.3.2 Agency Operations	63,112,213	175,448,105
B.3.3 State Board for Educator Certification	11,091,738	8,263,751
B.3.4 Central Administration	14,314,066	3,927,765
B.3.5 Information Systems - Technology	34,855,873	15,798,402
B.3.6 Certification Exam Administration	20,075,000	19,744,838
GRAND TOTAL:	24,731,630,942	223,182,861

D. TEA's objects of expense for each category of expense listed for your agency in the General Appropriations Act FY 2010-2011.

Texas Education Agency Exhibit 6: Objects of Expense by Program or Function, FY 2010 *For Admin Expenditures Only		
Division Number	Object of Expense	FY10 Totals
100	1001B Salaries and Wages	648,499
100	1002B Other Personnel Costs	15,200
100	1004A Appropriated Fringe	10,384
100	1004B Unappropriated Fringe	118,862
100	2000T In-State Travel	11,239
100	2003B Consumable Supplies	1,200
100	2004B Utilities	3,740
100	2007B Rent - Machine	6,000
100	2009B Other Operating Expenses	224,800
100	2600T Out-of-State Travel	8,370
100	Office of the Commissioner of Education Total	1,048,294
101	1001B Salaries and Wages	136,528
101	1002B Other Personnel Costs	257,303
101	1004A Appropriated Fringe	1,600
101	1004B Unappropriated Fringe	28,456
101	2000T In-State Travel	4,290
101	2003B Consumable Supplies	900
101	2004B Utilities	5,000
101	2009B Other Operating Expenses	1,500
101	Inspector General Total	435,577
102	1001B Salaries and Wages	737,405
102	1002B Other Personnel Costs	31,000
102	1003B Professional Fees Over \$25,000	175,000
102	1004A Appropriated Fringe	8,080
102	1004B Unappropriated Fringe	151,722
102	2000T In-State Travel	4,460
102	2003B Consumable Supplies	2,887
102	2004B Utilities	3,722
102	2009B Other Operating Expenses	17,655
102	2600T Out-of-State Travel	6,024
102	Statewide Policy & Programs Total	1,137,955
103	1001B Salaries and Wages	359,030
103	1002B Other Personnel Costs	50,100
103	1003B Professional Fees Over \$25,000	30,564
103	1004A Appropriated Fringe	3,760
103	1004B Unappropriated Fringe	76,453
103	2000T In-State Travel	5,852
103	2003B Consumable Supplies	4,960
103	2004B Utilities	6,000
103	2006B Rent - Building and Space	3,000

Texas Education Agency
Exhibit 6: Objects of Expense by Program or Function, FY 2010
***For Admin Expenditures Only**

Division Number	Object of Expense	FY10 Totals
103	2009B Other Operating Expenses	45,118
103	2600T Out-of-State Travel	6,064
103	State Initiatives Total	590,901
104	1001B Salaries and Wages	1,099,919
104	1002B Other Personnel Costs	93,524
104	1003B Professional Fees Over \$25,000	1,642,964
104	1004A Appropriated Fringe	9,240
104	1004B Unappropriated Fringe	234,261
104	2000T In-State Travel	60,043
104	2003B Consumable Supplies	11,198
104	2004B Utilities	4,700
104	2006B Rent - Building and Space	15,000
104	2007B Rent - Machine	5,000
104	2009B Other Operating Expenses	89,341
104	2600T Out-of-State Travel	21,096
104	College & Career Readiness Initiatives Total	3,286,287
105	1001B Salaries and Wages	354,256
105	1002B Other Personnel Costs	3,888
105	1003B Professional Fees Over \$25,000	40,000
105	1004A Appropriated Fringe	4,680
105	1004B Unappropriated Fringe	78,980
105	2000T In-State Travel	5,247
105	2003B Consumable Supplies	5,825
105	2004B Utilities	1,140
105	2006B Rent - Building and Space	6,000
105	2007B Rent - Machine	5,717
105	2009B Other Operating Expenses	22,404
105	2600T Out-of-State Travel	4,500
105	Educator Initiatives and Performance Total	532,637
106	1001B Salaries and Wages	156,857
106	1004A Appropriated Fringe	1,140
106	1004B Unappropriated Fringe	36,838
106	2000T In-State Travel	1,861
106	2003B Consumable Supplies	1,166
106	2004B Utilities	116
106	2006B Rent - Building and Space	450
106	2007B Rent - Machine	250
106	2009B Other Operating Expenses	8,393
106	2600T Out-of-State Travel	3,689
106	Programs for At-Risk Youth Total	210,761
110	1001B Salaries and Wages	2,916,970
110	1002B Other Personnel Costs	275,000
110	1003B Professional Fees Over \$25,000	2,575,000
110	1004A Appropriated Fringe	45,508

Texas Education Agency
Exhibit 6: Objects of Expense by Program or Function, FY 2010
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Division Number	Object of Expense	FY10 Totals
110	1004B Unappropriated Fringe	537,190
110	2000T In-State Travel	7,700
110	2003B Consumable Supplies	7,700
110	2004B Utilities	30,038
110	2006B Rent - Building and Space	411,434
110	2007B Rent - Machine	12,900
110	2009B Other Operating Expenses	1,845,396
110	2010B Operating Costs - Excluded from INDR	740,920
110	2600T Out-of-State Travel	100,591
110	Permanent School Fund Total	9,506,348
120	1001B Salaries and Wages	383,225
120	1004A Appropriated Fringe	8,480
120	1004B Unappropriated Fringe	79,431
120	2000T In-State Travel	8,135
120	2003B Consumable Supplies	1,500
120	2004B Utilities	1,232
120	2009B Other Operating Expenses	5,599
120	2600T Out-of-State Travel	1,581
120	Accreditation Total	489,183
130	1001B Salaries and Wages	711,368
130	1002B Other Personnel Costs	28,487
130	1004A Appropriated Fringe	32,060
130	1004B Unappropriated Fringe	166,206
130	2000T In-State Travel	110,689
130	2003B Consumable Supplies	10,200
130	2004B Utilities	4,700
130	2007B Rent - Machine	41,120
130	2009B Other Operating Expenses	141,125
130	2600T Out-of-State Travel	2,841
130	Communications and SBOE Support Total	1,248,796
140	1001B Salaries and Wages	259,932
140	1004A Appropriated Fringe	5,347
140	1004B Unappropriated Fringe	53,261
140	2000T In-State Travel	1,000
140	2003B Consumable Supplies	400
140	2006B Rent - Building and Space	24,000
140	2009B Other Operating Expenses	8,000
140	Governmental Relations Total	351,939
150	1001B Salaries and Wages	318,548
150	1004A Appropriated Fringe	8,240
150	1004B Unappropriated Fringe	68,880
150	2000T In-State Travel	300
150	2003B Consumable Supplies	400
150	2009B Other Operating Expenses	5,640

Texas Education Agency
Exhibit 6: Objects of Expense by Program or Function, FY 2010
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Division Number	Object of Expense	FY10 Totals
150	Internal Audit Total	402,008
160	1001B Salaries and Wages	2,205,704
160	1002B Other Personnel Costs	531,000
160	1003B Professional Fees Over \$25,000	1,654,000
160	1004A Appropriated Fringe	53,745
160	1004B Unappropriated Fringe	474,295
160	2000T In-State Travel	14,786
160	2003B Consumable Supplies	14,576
160	2004B Utilities	3,605
160	2006B Rent - Building and Space	100
160	2007B Rent - Machine	743
160	2009B Other Operating Expenses	406,530
160	2010B Operating Costs - Excluded from INDR	217,000
160	2600T Out-of-State Travel	1,586
160	5000B Capital Expenditures	15,000
160	General Counsel Total	5,592,670
190	1001B Salaries and Wages	479,388
190	1002B Other Personnel Costs	6,234
190	1004A Appropriated Fringe	14,360
190	1004B Unappropriated Fringe	115,054
190	2000T In-State Travel	8,600
190	2003B Consumable Supplies	3,697
190	2007B Rent - Machine	2,276
190	2009B Other Operating Expenses	7,830
190	Governance & General Inquiries Total	637,439
200	1001B Salaries and Wages	359,990
200	1004A Appropriated Fringe	13,934
200	1004B Unappropriated Fringe	76,160
200	2000T In-State Travel	1,565
200	2003B Consumable Supplies	4,000
200	2004B Utilities	184
200	2007B Rent - Machine	2,778
200	2009B Other Operating Expenses	5,052
200	2600T Out-of-State Travel	2,381
200	Standards and Programs Total	466,043
201	1001B Salaries and Wages	167,348
201	1004A Appropriated Fringe	1,320
201	1004B Unappropriated Fringe	35,096
201	2000T In-State Travel	1,500
201	2003B Consumable Supplies	1,500
201	2009B Other Operating Expenses	2,000
201	2600T Out-of-State Travel	2,309
201	Standards and Alignment Total	211,072
210	1001B Salaries and Wages	2,518,178

Texas Education Agency
Exhibit 6: Objects of Expense by Program or Function, FY 2010
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Division Number	Object of Expense	FY10 Totals
210	1002B Other Personnel Costs	18,500
210	1003B Professional Fees Over \$25,000	56,825
210	1004A Appropriated Fringe	45,445
210	1004B Unappropriated Fringe	549,499
210	2000T In-State Travel	46,741
210	2003B Consumable Supplies	12,460
210	2004B Utilities	360
210	2006B Rent - Building and Space	13,150
210	2007B Rent - Machine	20,000
210	2009B Other Operating Expenses	88,779
210	2600T Out-of-State Travel	12,806
210	Curriculum Total	3,382,743
211	1001B Salaries and Wages	1,682,399
211	1002B Other Personnel Costs	192,603
211	1003B Professional Fees Over \$25,000	510,000
211	1004A Appropriated Fringe	60,022
211	1004B Unappropriated Fringe	411,372
211	2000T In-State Travel	167,686
211	2003B Consumable Supplies	18,661
211	2004B Utilities	1,001
211	2006B Rent - Building and Space	320
211	2007B Rent - Machine	11,572
211	2009B Other Operating Expenses	260,506
211	2600T Out-of-State Travel	4,786
211	Instructional Materials & Ed Technology Total	3,320,928
212	1001B Salaries and Wages	6,584,010
212	1002B Other Personnel Costs	3,500
212	1004A Appropriated Fringe	83,723
212	1004B Unappropriated Fringe	1,484,052
212	2000T In-State Travel	9,211
212	2003B Consumable Supplies	29,545
212	2004B Utilities	1,066
212	2007B Rent - Machine	14,721
212	2009B Other Operating Expenses	162,758
212	2600T Out-of-State Travel	16,400
212	Student Assessment Total	8,388,987
250	1001B Salaries and Wages	234,733
250	1004A Appropriated Fringe	800
250	1004B Unappropriated Fringe	49,013
250	2000T In-State Travel	7,788
250	2003B Consumable Supplies	2,783
250	2004B Utilities	197
250	2009B Other Operating Expenses	13,199
250	2600T Out-of-State Travel	3,809

Texas Education Agency
Exhibit 6: Objects of Expense by Program or Function, FY 2010
***For Admin Expenditures Only**

Division Number	Object of Expense	FY10 Totals
250	Health and Safety Total	312,322
251	1001B Salaries and Wages	677,617
251	1004A Appropriated Fringe	15,981
251	1004B Unappropriated Fringe	146,155
251	2000T In-State Travel	19,200
251	2003B Consumable Supplies	3,393
251	2004B Utilities	3,565
251	2009B Other Operating Expenses	16,465
251	2600T Out-of-State Travel	10,391
251	School Readiness & Partnerships Total	892,767
252	1001B Salaries and Wages	740,634
252	1002B Other Personnel Costs	154,562
252	1004A Appropriated Fringe	23,104
252	1004B Unappropriated Fringe	176,631
252	2000T In-State Travel	17,721
252	2003B Consumable Supplies	12,878
252	2004B Utilities	9,969
252	2007B Rent - Machine	2,072
252	2009B Other Operating Expenses	65,211
252	2600T Out-of-State Travel	2,200
252	Student Services and GED Total	1,204,982
300	1001B Salaries and Wages	83,313
300	1002B Other Personnel Costs	14,957
300	1004B Unappropriated Fringe	13,541
300	2000T In-State Travel	3,000
300	2003B Consumable Supplies	1,000
300	2004B Utilities	400
300	2009B Other Operating Expenses	1,500
300	School Improvement & Educator Initiatives Total	117,710
301	1001B Salaries and Wages	162,214
301	1002B Other Personnel Costs	25,000
301	1003B Professional Fees Over \$25,000	154,720
301	1004A Appropriated Fringe	6,814
301	1004B Unappropriated Fringe	33,362
301	2000T In-State Travel	2,300
301	2003B Consumable Supplies	700
301	2004B Utilities	225
301	2006B Rent - Building and Space	4,428
301	2009B Other Operating Expenses	2,187
301	2600T Out-of-State Travel	400
301	Special Programs Total	392,350
310	1001B Salaries and Wages	4,169,917
310	1002B Other Personnel Costs	4,165
310	1004A Appropriated Fringe	48,472

Texas Education Agency
Exhibit 6: Objects of Expense by Program or Function, FY 2010
***For Admin Expenditures Only**

Division Number	Object of Expense	FY10 Totals
310	1004B Unappropriated Fringe	911,943
310	2000T In-State Travel	324,531
310	2003B Consumable Supplies	17,939
310	2004B Utilities	1,890
310	2007B Rent - Machine	8,532
310	2009B Other Operating Expenses	68,139
310	2600T Out-of-State Travel	1,690
310	Program Monitoring and Interventions Total	5,557,217
311	1001B Salaries and Wages	1,672,126
311	1002B Other Personnel Costs	167,000
311	1003B Professional Fees Over \$25,000	169,880
311	1004A Appropriated Fringe	36,990
311	1004B Unappropriated Fringe	398,024
311	2000T In-State Travel	40,251
311	2003B Consumable Supplies	9,641
311	2004B Utilities	2,416
311	2006B Rent - Building and Space	79,341
311	2007B Rent - Machine	13,000
311	2009B Other Operating Expenses	112,884
311	2600T Out-of-State Travel	32,200
311	IDEA Coordination Total	2,733,754
312	1001B Salaries and Wages	2,333,270
312	1002B Other Personnel Costs	85,715
312	1003B Professional Fees Over \$25,000	146,121
312	1004A Appropriated Fringe	46,834
312	1004B Unappropriated Fringe	519,899
312	2000T In-State Travel	49,683
312	2003B Consumable Supplies	21,048
312	2004B Utilities	4,650
312	2006B Rent - Building and Space	134,143
312	2007B Rent - Machine	38,299
312	2009B Other Operating Expenses	158,265
312	2600T Out-of-State Travel	37,185
312	NCLB Program Coordination Total	3,575,111
322	1001B Salaries and Wages	840,760
322	1002B Other Personnel Costs	31,000
322	1003B Professional Fees Over \$25,000	25,000
322	1004A Appropriated Fringe	41,369
322	1004B Unappropriated Fringe	221,395
322	2000T In-State Travel	40,677
322	2003B Consumable Supplies	7,517
322	2006B Rent - Building and Space	400
322	2009B Other Operating Expenses	353,178
322	2600T Out-of-State Travel	3,283

Texas Education Agency
Exhibit 6: Objects of Expense by Program or Function, FY 2010
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Division Number	Object of Expense	FY10 Totals
322	Driver Training Total	1,564,579
351	1001B Salaries and Wages	524,804
351	1004A Appropriated Fringe	12,634
351	1004B Unappropriated Fringe	126,777
351	2000T In-State Travel	938
351	2003B Consumable Supplies	1,500
351	2004B Utilities	306
351	2009B Other Operating Expenses	49,168
351	2010B Operating Costs - Excluded from INDR	25,000
351	2600T Out-of-State Travel	1,499
351	Charter Schools Total	742,626
360	1001B Salaries and Wages	352,307
360	1002B Other Personnel Costs	800
360	1004A Appropriated Fringe	12,987
360	1004B Unappropriated Fringe	72,196
360	2000T In-State Travel	7,352
360	2003B Consumable Supplies	1,430
360	2004B Utilities	746
360	2009B Other Operating Expenses	3,619
360	2600T Out-of-State Travel	1,024
360	Regional Services Total	452,462
450	1001B Salaries and Wages	2,582,664
450	1002B Other Personnel Costs	25,000
450	1003B Professional Fees Over \$25,000	1,468,100
450	1004A Appropriated Fringe	78,050
450	1004B Unappropriated Fringe	607,024
450	2000T In-State Travel	80,679
450	2003B Consumable Supplies	5,466
450	2004B Utilities	10
450	2009B Other Operating Expenses	58,435
450	Financial Audits Total	4,905,428
500	1001B Salaries and Wages	68,000
500	1004B Unappropriated Fringe	11,861
500	2000T In-State Travel	632
500	2003B Consumable Supplies	458
500	2009B Other Operating Expenses	2,490
500	2600T Out-of-State Travel	1,244
500	Chief Financial Officer Total	84,686
501	1001B Salaries and Wages	164,654
501	1004A Appropriated Fringe	1,200
501	1004B Unappropriated Fringe	32,333
501	2000T In-State Travel	2,755
501	2003B Consumable Supplies	600
501	2009B Other Operating Expenses	3,915

Texas Education Agency
Exhibit 6: Objects of Expense by Program or Function, FY 2010
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Division Number	Object of Expense	FY10 Totals
501	2600T Out-of-State Travel	1,664
501	School Finance Total	207,120
502	1001B Salaries and Wages	1,098,839
502	1004A Appropriated Fringe	41,712
502	1004B Unappropriated Fringe	251,465
502	2000T In-State Travel	8,104
502	2003B Consumable Supplies	6,000
502	2007B Rent - Machine	5,756
502	2009B Other Operating Expenses	40,615
502	2600T Out-of-State Travel	2,758
502	State Funding Total	1,455,249
503	1001B Salaries and Wages	437,347
503	1004A Appropriated Fringe	8,987
503	1004B Unappropriated Fringe	94,722
503	2000T In-State Travel	916
503	2003B Consumable Supplies	1,368
503	2009B Other Operating Expenses	5,132
503	Forecasting & Fiscal Analysis Total	548,472
510	1001B Salaries and Wages	376,751
510	1004A Appropriated Fringe	14,000
510	1004B Unappropriated Fringe	73,766
510	2000T In-State Travel	22,043
510	2003B Consumable Supplies	490
510	2004B Utilities	100
510	2009B Other Operating Expenses	12,366
510	2600T Out-of-State Travel	21,100
510	Finance and Administration Total	520,616
511	1001B Salaries and Wages	514,643
511	1002B Other Personnel Costs	20,543
511	1004A Appropriated Fringe	27,473
511	1004B Unappropriated Fringe	123,331
511	2000T In-State Travel	2,227
511	2003B Consumable Supplies	2,000
511	2009B Other Operating Expenses	44,450
511	2600T Out-of-State Travel	3,773
511	Human Resources Total	738,439
512	1001B Salaries and Wages	597,603
512	1004A Appropriated Fringe	14,626
512	1004B Unappropriated Fringe	135,486
512	2003B Consumable Supplies	6,500
512	2009B Other Operating Expenses	19,528
512	Budget Total	773,742
513	1001B Salaries and Wages	251,819
513	1002B Other Personnel Costs	7,304

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Exhibit 6: Objects of Expense by Program or Function, FY 2010
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Division Number	Object of Expense	FY10 Totals
513	1003B Professional Fees Over \$25,000	12,863
513	1004A Appropriated Fringe	7,154
513	1004B Unappropriated Fringe	51,188
513	2000T In-State Travel	1,080
513	2003B Consumable Supplies	500
513	2009B Other Operating Expenses	6,993
513	Finance / Chief Financial Officer Total	338,901
514	1001B Salaries and Wages	541,565
514	1002B Other Personnel Costs	8,300
514	1004A Appropriated Fringe	29,733
514	1004B Unappropriated Fringe	139,678
514	2000T In-State Travel	3,000
514	2002B Fuels and Lubricants	6
514	2003B Consumable Supplies	3,987
514	2004B Utilities	1,950
514	2006B Rent - Building and Space	1,760
514	2007B Rent - Machine	2,100
514	2009B Other Operating Expenses	14,000
514	Purchasing and Contracts Total	746,079
516	1001B Salaries and Wages	569,400
516	1002B Other Personnel Costs	2,029
516	1003B Professional Fees Over \$25,000	27,000
516	1004A Appropriated Fringe	46,264
516	1004B Unappropriated Fringe	142,268
516	2000T In-State Travel	530
516	2002B Fuels and Lubricants	3,000
516	2003B Consumable Supplies	20,769
516	2004B Utilities	12,800
516	2006B Rent - Building and Space	124,540
516	2007B Rent - Machine	89,757
516	2009B Other Operating Expenses	416,066
516	2010B Operating Costs - Excluded from INDR	89,700
516	5000B Capital Expenditures	11,484
516	Agency Infrastructure Total	1,555,607
517	1001B Salaries and Wages	1,557,533
517	1002B Other Personnel Costs	25,000
517	1003B Professional Fees Over \$25,000	835,053
517	1004A Appropriated Fringe	71,362
517	1004B Unappropriated Fringe	370,084
517	2000T In-State Travel	1,250
517	2003B Consumable Supplies	3,200
517	2009B Other Operating Expenses	135,880
517	Accounting Total	2,999,361
518	1001B Salaries and Wages	474,488

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Division Number	Object of Expense	FY10 Totals
518	1002B Other Personnel Costs	32,005
518	1004A Appropriated Fringe	14,427
518	1004B Unappropriated Fringe	106,074
518	2000T In-State Travel	750
518	2003B Consumable Supplies	6,333
518	2009B Other Operating Expenses	43,777
518	Organization Development Total	677,854
525	1001B Salaries and Wages	148,257
525	1002B Other Personnel Costs	25,000
525	1003B Professional Fees Over \$25,000	7,138
525	1004A Appropriated Fringe	6,400
525	1004B Unappropriated Fringe	28,929
525	Financial Projects Total	215,722
600	1001B Salaries and Wages	323,309
600	1004A Appropriated Fringe	8,534
600	1004B Unappropriated Fringe	60,969
600	2000T In-State Travel	599
600	2003B Consumable Supplies	1,250
600	2004B Utilities	1,185
600	2009B Other Operating Expenses	3,534
600	2600T Out-of-State Travel	1,750
600	Assessment, Accountability, & Data Quality Total	401,129
601	1001B Salaries and Wages	956,379
601	1002B Other Personnel Costs	57,845
601	1004A Appropriated Fringe	20,534
601	1004B Unappropriated Fringe	210,182
601	2000T In-State Travel	506
601	2003B Consumable Supplies	2,543
601	2009B Other Operating Expenses	53,701
601	2600T Out-of-State Travel	2,657
601	Accountability Research Total	1,304,348
602	1001B Salaries and Wages	1,791,826
602	1002B Other Personnel Costs	3,114
602	1004A Appropriated Fringe	57,032
602	1004B Unappropriated Fringe	393,969
602	2003B Consumable Supplies	4,000
602	2004B Utilities	25
602	2009B Other Operating Expenses	44,810
602	2600T Out-of-State Travel	350
602	Performance Reporting Total	2,295,125
603	1001B Salaries and Wages	559,093
603	1004A Appropriated Fringe	11,827
603	1004B Unappropriated Fringe	126,882
603	2000T In-State Travel	2,250

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Exhibit 6: Objects of Expense by Program or Function, FY 2010
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Division Number	Object of Expense	FY10 Totals
603	2003B Consumable Supplies	4,696
603	2004B Utilities	810
603	2009B Other Operating Expenses	27,565
603	2600T Out-of-State Travel	3,054
603	Enterprise Data Management Total	736,178
604	1001B Salaries and Wages	279,918
604	1004A Appropriated Fringe	13,320
604	1004B Unappropriated Fringe	65,589
604	2003B Consumable Supplies	1,350
604	2009B Other Operating Expenses	1,800
604	Policy Coordination Total	361,977
605	1001B Salaries and Wages	599,284
605	1004A Appropriated Fringe	15,867
605	1004B Unappropriated Fringe	137,526
605	2003B Consumable Supplies	2,325
605	2009B Other Operating Expenses	8,716
605	Performance Based Monitoring Total	763,718
606	1001B Salaries and Wages	744,046
606	1003B Professional Fees Over \$25,000	163,250
606	1004A Appropriated Fringe	11,974
606	1004B Unappropriated Fringe	167,744
606	2003B Consumable Supplies	1,846
606	2009B Other Operating Expenses	4,688
606	Information Analysis Total	1,093,548
607	1001B Salaries and Wages	147,644
607	1004A Appropriated Fringe	3,000
607	1004B Unappropriated Fringe	30,655
607	2003B Consumable Supplies	480
607	2009B Other Operating Expenses	1,300
607	2600T Out-of-State Travel	500
607	Data Development, Analysis and Research Total	183,579
611	1001B Salaries and Wages	8,651,417
611	1002B Other Personnel Costs	639,408
611	1003B Professional Fees Over \$25,000	8,638,127
611	1004A Appropriated Fringe	148,507
611	1004B Unappropriated Fringe	1,864,358
611	2000T In-State Travel	5,900
611	2003B Consumable Supplies	27,861
611	2004B Utilities	151,239
611	2006B Rent - Building and Space	36,544
611	2007B Rent - Machine	6,714
611	2009B Other Operating Expenses	1,241,449
611	2600T Out-of-State Travel	7,000
611	5000B Capital Expenditures	22,440

Texas Education Agency
Exhibit 6: Objects of Expense by Program or Function, FY 2010
***For Admin Expenditures Only**

Division Number	Object of Expense	FY10 Totals
611	Information Technology Services (ITS) Total	21,440,965
620	1002B Other Personnel Costs	664,000
620	1003B Professional Fees Over \$25,000	14,881,734
620	2007B Rent - Machine	1,144,823
620	2009B Other Operating Expenses	356,279
620	5000B Capital Expenditures	413,628
620	Capital Budget Items Total	17,460,465
701	1001B Salaries and Wages	244,678
701	1004A Appropriated Fringe	960
701	1004B Unappropriated Fringe	42,982
701	2000T In-State Travel	1,580
701	2003B Consumable Supplies	1,800
701	2004B Utilities	900
701	2009B Other Operating Expenses	12,145
701	2600T Out-of-State Travel	3,500
701	Planning, Grants, and Evaluation Total	308,545
702	1001B Salaries and Wages	178,945
702	1004B Unappropriated Fringe	39,177
702	2003B Consumable Supplies	150
702	2004B Utilities	350
702	2009B Other Operating Expenses	1,000
702	Office for Grants and Evaluation Total	219,622
705	1001B Salaries and Wages	1,134,141
705	1002B Other Personnel Costs	116,900
705	1003B Professional Fees Over \$25,000	175,000
705	1004A Appropriated Fringe	20,768
705	1004B Unappropriated Fringe	242,920
705	2000T In-State Travel	2,000
705	2003B Consumable Supplies	9,500
705	2004B Utilities	1,800
705	2009B Other Operating Expenses	35,483
705	2600T Out-of-State Travel	8,864
705	Division of Evaluation, Analysis and Planning Total	1,747,376
711	1001B Salaries and Wages	2,143,500
711	1004A Appropriated Fringe	60,490
711	1004B Unappropriated Fringe	485,646
711	2000T In-State Travel	1,550
711	2003B Consumable Supplies	21,200
711	2004B Utilities	300
711	2007B Rent - Machine	7,678
711	2009B Other Operating Expenses	115,583
711	2600T Out-of-State Travel	8,526
711	Discretionary Grants Administration Total	2,844,473
712	1001B Salaries and Wages	1,543,262

Texas Education Agency
Exhibit 6: Objects of Expense by Program or Function, FY 2010
***For Admin Expenditures Only**

Division Number	Object of Expense	FY10 Totals
712	1004A Appropriated Fringe	72,200
712	1004B Unappropriated Fringe	367,197
712	2003B Consumable Supplies	13,088
712	2007B Rent - Machine	4,500
712	2009B Other Operating Expenses	60,931
712	2600T Out-of-State Travel	4,124
712	Formula Grants Administration Total	2,065,302
800	1001B Salaries and Wages	917,215
800	1002B Other Personnel Costs	75,500
800	1004A Appropriated Fringe	38,695
800	1004B Unappropriated Fringe	219,769
800	2000T In-State Travel	63,000
800	2003B Consumable Supplies	11,000
800	2004B Utilities	38,750
800	2006B Rent - Building and Space	63,200
800	2007B Rent - Machine	31,200
800	2009B Other Operating Expenses	213,569
800	2600T Out-of-State Travel	25,000
800	Texas Council for Developmental Disabilities Total	1,696,899
900	1001B Salaries and Wages	457,462
900	1002B Other Personnel Costs	95,951
900	1003B Professional Fees Over \$25,000	10,000
900	1004A Appropriated Fringe	2,880
900	1004B Unappropriated Fringe	100,184
900	2000T In-State Travel	8,154
900	2003B Consumable Supplies	12,216
900	2004B Utilities	5
900	2006B Rent - Building and Space	30,000
900	2007B Rent - Machine	10,000
900	2009B Other Operating Expenses	19,245
900	2600T Out-of-State Travel	6,724
900	Educator Quality and Standards Total	752,822
901	1001B Salaries and Wages	252,776
901	1004A Appropriated Fringe	2,120
901	1004B Unappropriated Fringe	56,896
901	2000T In-State Travel	23,000
901	2003B Consumable Supplies	2,250
901	2004B Utilities	2,000
901	2009B Other Operating Expenses	19,000
901	2600T Out-of-State Travel	2,000
901	Educator Certification & Standards Total	360,041
906	1001B Salaries and Wages	588,437
906	1002B Other Personnel Costs	25,000

Texas Education Agency
Exhibit 6: Objects of Expense by Program or Function, FY 2010
***For Admin Expenditures Only**

Division Number	Object of Expense	FY10 Totals
906	1003B Professional Fees Over \$25,000	20,050,000
906	1004A Appropriated Fringe	5,842
906	1004B Unappropriated Fringe	127,680
906	2000T In-State Travel	103,976
906	2003B Consumable Supplies	2,500
906	2009B Other Operating Expenses	6,750
906	Educator Standards & Certification Total	20,910,185
907	1001B Salaries and Wages	1,084,946
907	1004A Appropriated Fringe	34,001
907	1004B Unappropriated Fringe	274,544
907	2000T In-State Travel	3,675
907	2003B Consumable Supplies	6,965
907	2004B Utilities	517
907	2006B Rent - Building and Space	2,400
907	2007B Rent - Machine	16,764
907	2009B Other Operating Expenses	315,087
907	2010B Operating Costs - Excluded from INDR	55,000
907	Educator Credentialing Services Total	1,793,899
908	1001B Salaries and Wages	1,412,772
908	1004A Appropriated Fringe	39,915
908	1004B Unappropriated Fringe	360,940
908	2000T In-State Travel	6,061
908	2003B Consumable Supplies	9,000
908	2004B Utilities	1,055
908	2007B Rent - Machine	4,190
908	2009B Other Operating Expenses	61,809
908	2010B Operating Costs - Excluded from INDR	6,778,662
908	2600T Out-of-State Travel	1,783
908	5000B Capital Expenditures	5,691
908	Investigations Total	8,681,879
909	2009B Other Operating Expenses	435,000
909	Subscription Fees Total	435,000
920	1001B Salaries and Wages	292,336
920	1004A Appropriated Fringe	4,347
920	1004B Unappropriated Fringe	58,687
920	2000T In-State Travel	3,716
920	2003B Consumable Supplies	1,000
920	2004B Utilities	875
920	2009B Other Operating Expenses	72,281
920	2600T Out-of-State Travel	1,000
920	School District Leadership & Educator Quality Total	434,242
All	Grand Total	162,845,040

E. TEA's sources of revenue, including all local, state, and federal appropriations, all professional and operating fees, and all other sources of revenue collected by the agency, including taxes and fines.

Texas Education Agency Exhibit 7: Sources of Revenue, FY 2010	
LBB MOF	FY2010 Amount
0001 General Revenue	328,487,929
0002 Available School Fund	650,483,864
0003 State Textbook Fund	175,656,284
0044 Permanent School Fund	11,475,298
0148 Federal Health, Education and Welfare Fund	3,147,766,518
0171 Federal - Child Nutrition	1,409,877,705
0193 Foundation School Fund	11,461,662,433
0304 Property Tax Relief Fund	2,748,200,000
0369 Fed Recovery & Reinvestment Fund	2,446,667,016
0555 Federal Funds	16,099,390
0666 Appropriated Receipts	1,139,518,388
0751 Certif & Assessment Fees	31,311,663
0759 GR MOE for TANF	2,000,000
0777 Interagency Contracts	16,022,601
0902 Lottery Proceeds	949,400,000
5027 GR Dedicated- Read to Succeed Account	58,000
5089 YMCA License Plates	1,173
5118 Knights of Columbus License Plate Fees	15,972
5121 Share the Road License Plates	245,251
5135 Educator Excellence Fund	196,681,457
Grand Total	24,731,630,942

F. Funds received from federal programs, showing the types of federal funding sources.

Texas Education Agency Exhibit 8: Federal Funds, FY 2010 Federal Funds by MOF, LBB MOF, CFDA, State Match % and Amount				
Catalog of Federal Domestic Assistance	State %	State Match	FY 2010	Ref.
84.002A Adult Education - Basic Grants to States (A)	MOE	16,601,097	49,894,625	(*)
84.010 A Title I Grants to Local Educational Agencies			1,365,240,930	
84.011A Migrant Education State Grant Program			62,861,267	
84.013A Title I Program for Neglected and Delinquent Children			2,431,071	
84.027A Special Education Grants to States			974,582,384	
84.048A Career and Technical Education - Basic Grants to States (A)	100%	768,597	64,293,554	
84.144F Migrant Education Coordination Program			76,923	
84.173A Special Education Preschool Grants			22,359,527	
84.181 Special Education-Grants for Infants and Families (A)			85,373	
84.186 A Safe and Drug-Free Schools and Communities			18,516,473	

State Grants				
84.196A Education for Homeless Children and Youth (A)			5,113,238	
84.213C Even Start State Educational Agencies			5,686,868	
84.282A Charter Schools			7,695,818	
84.287.000 21st Century Community Learning			101,710,653	
84.318.000 Education Technology St. Grant			24,145,582	
84.330.002 AP Fee Incentive Program	167.10%	2,849,723	1,706,421	(**)
84.334 Early Awareness/Readiness	102.80%	2,931,406	2,862,102	(**)
84.358B Rural Education (A)			6,200,319	
84.365A English Language Acquisition Grants (A,B)			98,265,055	
84.366B Mathematics and Science Partnerships			17,363,247	
84.367A Improving Teacher Quality State Grants			241,409,263	
84.369A Grants for State Assessments and Related Activities			24,006,948	
84.372 Statewide Data Systems			281,295	
84.377A School Improvement Grants			49,050,901	
84.815.001 Troops to Teachers			240,980	
93.938 Cooperative Agreements to Support Comprehensive School Health Programs to Prevent the Spread of HIV and Other Important Health Problems (B)			158,435	
94.004 Learn and Serve America			1,527,266	
0148 Federal Health, Education and Welfare Fund			3,147,766,518	
10.553. School Breakfast Program	MOE	3,647,192	360,643,580	(**)
10.555. National School Lunch Program	MOE	10,610,916	1,049,234,125	(**)
0171 Federal - Child Nutrition			1,409,877,705	
84.386 Ed Tech State Grants -Stimulus			58,481,666	
84.388 Title I School Improvement -Stimulus			285,896,287	
84.389 ARRA - Title I - Grants to LEAs			54,046,797	
84.391 ARRA - Special Education Grants to States			58,261,585	
84.392 ARRA - Special Education - Preschool Grants			1,629,262	
84.394 Stabilization -Education -Stimulus			1,625,136,066	
84.397 Stabilization -Gvt Services -Stimulus			363,215,353	
0369 Fed Recovery & Reinvestment Fund			2,446,667,016	
20.609 Safety Belt Performance Grants (B) (TEA SOF 3323)	17.46%	9,620	55,100	
20.609 Safety Belt Performance Grants (B) (TEA SOF 3324)	11.40%	6,281	55,100	
20.609 Safety Belt Performance Grants (B) (TEA SOF 3325)	10.49%	29,970	285,701	
93.558. Temporary Assistance for Needy Families (A)			10,825,241	
93.630 Developmental Disabilities Basic Support and Advocacy Grants (A)			4,878,248	
0555 Federal Funds			16,099,390	
Grand Total		37,454,803	7,020,410,629	

(*) = Under the Maintenance of Effort (MOE) agreement an eligible agency may receive funds under this subtitle for any fiscal year if the Secretary finds that the fiscal effort per student or the aggregate expenditures of such eligible agency for adult education and literacy activities, in the second preceding fiscal year, was not less than 90 percent of the fiscal effort per student or the aggregate expenditures of such eligible agency for adult education and literacy activities, in the third preceding fiscal year. The statutory reference is found at WIA, Title II, Subtitle A, Section 241(b)(1)(A).

(**) = State revenue matching require that for each school year, the amount of State revenues appropriated or used specifically by the State for program purposes shall not be less than 30 percent of the funds received by such State under section 4 of the National School Lunch Act during the school year beginning July 1, 1980; provided that, the State revenues derived from the operation of such programs and State revenues expended for salaries and administrative expenses of such programs at the State level are not considered in this computation. The statutory reference is found at Code of Federal Regulations, Part 210.17, Matching Federal Funds.

G. Detailed information on fees collected by TEA.

Texas Education Agency Exhibit 9: Fee Revenue, FY 2010				
Fee Description/ Program/ Statutory Citation	Current Fee/ Statutory Maximum	Number of persons or entities paying fee	Fee Revenue	Where Fee Revenue is Deposited
Commercial Driver Training School Fees – Education Code: 1001.051	Varies based on course, certificate, license, or penalty	1,178,740	\$ 2,357,481.00	General Revenue Fund
In-School Driver's Education Certificates – Education Code: 1001.155	\$ 2	86,449	\$ 172,898.00	General Revenue Fund
High School Equivalency Certificate – Education Code: 7.111	\$15 per certificate;\$5 per duplicate certificate	53,941	\$ 665,569.00	General Revenue Fund
Educator Certification Examination Fees – Education Code: 21.041	\$ 120	178,395	\$ 21,407,512	General Revenue Fund
Educator Certification Fees – Education Code: 21.041	varies based on type of certificate obtained	148,373	\$ 8,369,287.00	General Revenue Fund
Educator Fingerprint Fees – Education Code: 21.041	\$ 40.25	53,010	\$ 2,133,667.00	General Revenue Fund
Educator Original Certification Online Subscription Fees – Education Code: 2054.2591	\$ 2	162,529	\$ 325,059.00	General Revenue Fund
Educator Renewal Certification Online Subscription Fees – Education Code: 2054.2591	\$ 2	32,628	\$ 62,256.00	General Revenue Fund
School Bond Guarantee Fees – Education Code: 45.055,20.905	\$ 2,300	269	\$ 618,700	General Revenue Fund
Sale of Textbooks – Education Code: 31.105;12.02,12.63	varies based on price of book	32,399	\$ 1,689,000	Textbook Fund
Textbook Manufacturer Penalties – Education Code: 31.151(d)	varies	32	\$ 3,637,281	Textbook Fund
Fees -Copies or Filing of Records – Government Code:	varies		\$ 19,980	General Revenue Fund

**Texas Education Agency
Exhibit 9: Fee Revenue, FY 2010**

Fee Description/ Program/ Statutory Citation	Current Fee/ Statutory Maximum	Number of persons or entities paying fee	Fee Revenue	Where Fee Revenue is Deposited
552.262,603.004				
Electronic Course Pilot Program – Education Code: 30A 105(d)	\$ 150	5,000	\$ 750,000	General Revenue Fund
Royalties - General Appropriations agency Rider 57	varies	13	\$ 318,702	General Revenue Fund
Sale of Publications – Government Code: 2052.301	cost recovery	3,384	\$ 84,510	General Revenue Fund
Reimbursements -Third Party – Government Code 403.011,403.012			\$ 35,852	General Revenue Fund

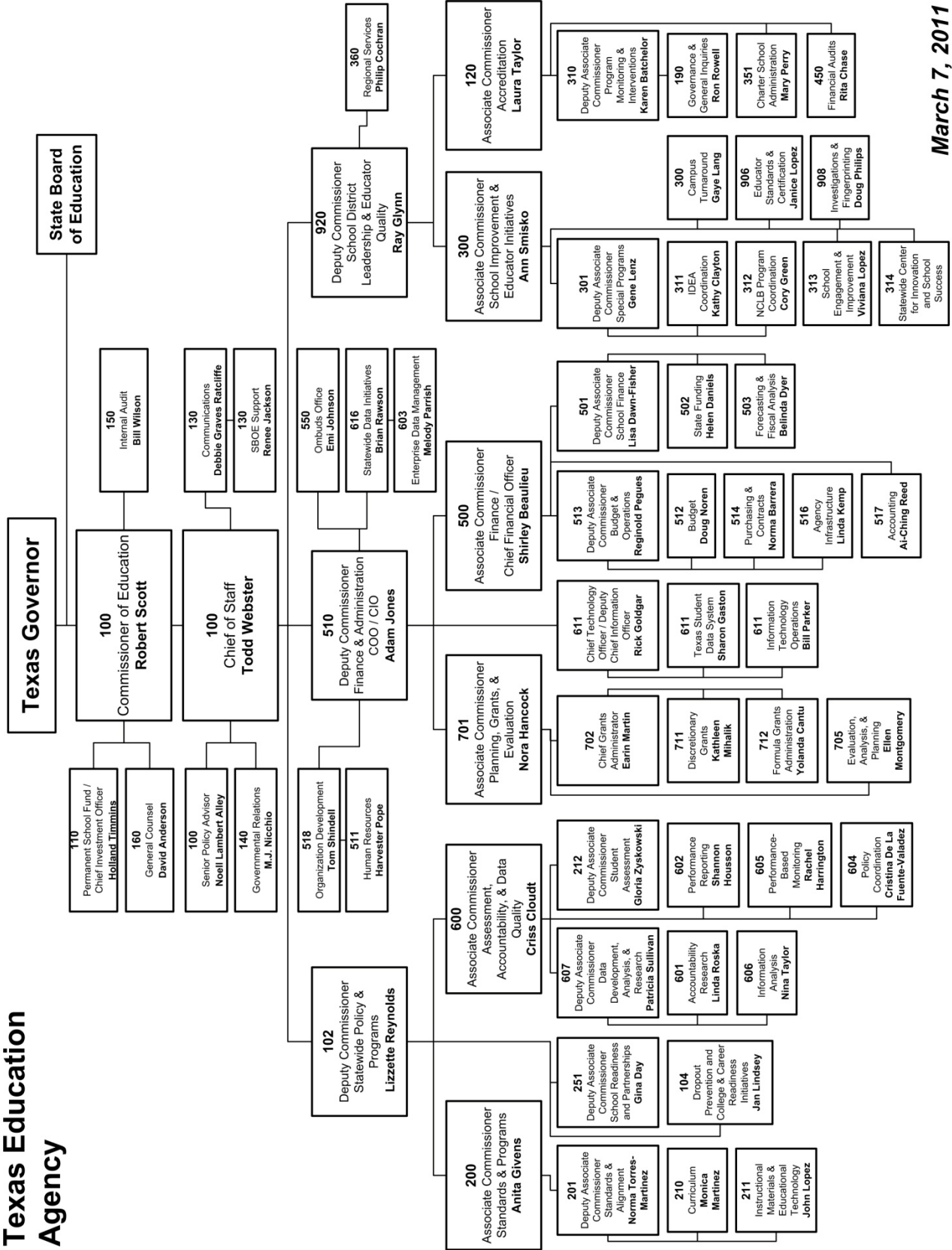
VI. Organization

As of March 7, 2011, the Texas Education Agency was organized into 63 divisions with 58 unique cost center numbers. The following organization descriptions map directly to the agency's organization chart from that time, and the budget information provided in Section V.

A. Provide an organizational chart that includes major programs and divisions, and shows the number of FTEs in each program or division.

- For FTE counts, please see Attachment 10, page 13, or the response to Question E.
- Additional Organization Charts reflecting division level information for both pre and post the July 2011 reduction in force have also been made available as a separate document.

Texas Education Agency



March 7, 2011

B. If applicable, fill in the chart below listing field or regional offices.

Not Applicable

C. What are your agency's FTE caps for fiscal years 2010-2013?

Full-Time Equivalent Positions	FY 2010	FY 2011	FY 2012	FY 2013
Regular Appropriations	1,021.3	1,021.3	795.0	795.0
Rider Appropriations (2010-11):				
Article IX, Sec. 17.25, HB 3 (2010-11 GAA)	11.0	11.0	0.0	0.0
Article IX, Sec. 17.46, SB 1317 (2010-11 GAA)	2.5	2.5	0.0	0.0
Article IX, Sec. 17.95, SB 858 (2010-11 GAA)	2.0	2.0	0.0	0.0
HB 4586, Sec. 98, SB 174 Educator Preparation Programs	2.0	2.0	0.0	0.0
Rider Appropriations (2012-13):				
Additional FTE's authorized by HB 4, 82nd (R) Leg.	0.0	0.0	31.0	31.0
Sec. 18.08. Contingency for SB 1811	0.0	0.0	0.0	0.0
Sec. 18.09. Payroll Contribution for Group Health Insurance.	0.0	0.0	0.0	0.0
Sec. 18.23. Foundation School Program Adjustments.	0.0	0.0	0.0	0.0
Sec. 18.25. Reduction to State Appropriations.	0.0	0.0	0.0	0.0
Sec. 18.33. Contingency for HJR 109 or SJR 5.	0.0	0.0	0.0	0.0
Sec. 18.39. Contingency for HB 500.	0.0	0.0	0.0	0.0
Sec. 18.51. Contingency for HB 2365.	0.0	0.0	0.0	0.0
Sec. 18.54. Contingency for HB 2678 or SB 1114.	0.0	0.0	0.0	0.0
Sec. 18.55. Additional Appropriations Priorities Contingent on Availability of Revenue.	0.0	0.0	0.0	0.0
Sec. 18.64. Contingency for SB 127.	0.0	0.0	0.0	0.0
Sec. 18.70. Contingency for SB 597.	0.0	0.0	0.0	0.0
Sec. 18.101. Contingency for SB 4	0.0	0.0	0.0	0.0
Sec. 18.108. Contingency for HB 2247.	0.0	0.0	0.0	0.0
Sec. 18.115. Contingency for Senate Bill 1811	0.0	0.0	0.0	0.0
Total Adjusted FTE's	1,038.8	1,038.8	826.0*	826.0*

() = Represents TEA staff calculations as the LBB has not yet confirmed TEA's final FTE cap for 2012-13.*

D. How many temporary or contract employees did your agency have as of August 31, 2010?

Texas Education Agency had 67.27 contractor FTE's at August 31, 2010.

E. List each of your agency's key programs or functions, along with expenditures and FTEs by program.

Division # and Name	FTEs 8/31/10	Actual Expenditures FY10
100 Office of the Commissioner of Education	7.00	1,048,294
101 Inspector General	2.00	435,577
102 Statewide Policy & Programs	4.44	1,137,955
103 State Initiatives	4.43	590,901
104 College & Career Readiness Initiatives	17.49	3,286,287
105 Educator Initiatives and Performance	5.39	532,637
106 Programs for At-Risk Youth	0.00	210,761
110 Permanent School Fund	26.33	9,506,348
120 Accreditation	4.33	489,183
130 Communications and SBOE Support	12.50	1,248,796
140 Governmental Relations	3.00	351,939
150 Internal Audit	4.00	402,008
160 General Counsel	30.00	5,592,670
190 Governance & General Inquiries	8.00	637,439
200 Standards and Programs	5.00	466,043
201 Standards and Alignment	3.00	211,072
210 Curriculum	35.52	3,382,743
211 Instructional Materials & Ed Technology	30.54	3,320,928
212 Student Assessment	110.27	8,388,987
250 Health and Safety	4.00	312,322
251 School Readiness & Partnerships	8.70	892,767
252 Student Services and GED	14.85	1,204,982
300 School Improvement & Educator Initiatives	2.18	117,710
301 Special Programs	3.14	227,137
310 Program Monitoring and Interventions	67.37	5,557,217
311 IDEA Coordination	29.10	1,539,655
312 NCLB Program Coordination	46.14	2,113,407
313 School Engagement and Improvement	n/a	n/a
322 Driver Training	16.00	954,111
351 Charter Schools	9.30	742,626
360 Regional Services	4.00	452,462
401 Special Programs	0.00	165,213
411 IDEA Coordination	0.00	1,194,099
412 NCLB Coordination	0.00	1,461,704
422 Driver Training	0.00	610,468
450 Financial Audits	46.23	4,905,428
500 Chief Financial Officer	1.00	84,686
501 School Finance	2.00	207,120

Division # and Name	FTEs 8/31/10	Actual Expenditures FY10
502 State Funding	18.26	1,455,249
503 Forecasting & Fiscal Analysis	6.00	548,472
510 Finance and Administration	4.00	520,616
511 Human Resources	8.14	738,439
512 Budget	9.67	773,742
513 Finance / Chief Financial Officer	3.73	338,901
514 Purchasing and Contracts	11.94	746,079
516 Agency Infrastructure	10.00	1,555,607
517 Accounting	24.50	2,999,361
518 Organization Development	7.00	677,854
525 Financial Projects	0.00	215,722
550 Ombuds Office	n/a	n/a
600 Assessment, Accountability, & Data Quality	3.50	401,129
601 Accountability Research	15.36	1,304,348
602 Performance Reporting	28.85	2,295,125
603 Enterprise Data Management	9.00	736,178
604 Policy Coordination	4.00	361,977
605 Performance Based Monitoring	7.00	763,718
606 Information Analysis	12.93	1,093,548
607 Data Development, Analysis and Research	2.00	183,579
611 Information Technology Services (ITS)	142.89	21,440,965
616 Statewide Data Initiatives	n/a	n/a
620 Capital Budget Items	32.56	17,460,465
701 Planning, Grants, and Evaluation	3.00	308,545
702 Office for Grants and Evaluation	4.96	219,622
705 Division of Evaluation, Analysis and Planning	19.39	1,747,376
711 Discretionary Grants Administration	34.08	2,844,473
712 Formula Grants Administration	24.35	2,065,302
800 Texas Council for Developmental Disabilities	16.85	1,696,899
900 Educator Quality and Standards	6.99	752,822
901 Educator Certification & Standards	4.00	360,041
906 Educator Standards & Certification	10.00	20,910,185
907 Educator Credentialing Services	21.75	1,793,899
908 Investigations and Fingerprinting	28.03	8,681,879
909 Subscription Fees	0.00	435,000
920 School District Leadership & Educator Quality	3.00	434,242
Grand Total	1,104.97	162,845,040

VII. Guide to Agency Programs

Following the structure established in Section V (Funding), the following division descriptions are sequenced in numerical order according to cost center (division) number. The summary of each division was completed by the division director listed on the TEA Organization Chart as of March 7th 2011, and was completed before the agency's reduction in force in July.

A. Guide to Agency Programs / Divisions	
Division Number:	100
Division Name:	Office of the Commissioner
Commissioner:	Robert Scott
Expenditures, FY10:	1,048,294
Number of FTEs (8/31/10):	7.00

B. What is the objective of this division? Please describe the major activities performed.

The Office of the Commissioner provides leadership and support to the state's public school districts and charter schools, manages the Texas Education Agency, and provides coordination with the state legislature and other branches of state government.

The commissioner of education oversees the following key functions, in general, performed by the Texas Education Agency to carry out its core mission:

- Administering the distribution of state and federal funding to public schools;
- Administering the statewide assessment program and accountability system;
- Providing support to the State Board of Education (SBOE) in the development of the statewide curriculum standards;
- Assisting the SBOE in the instructional materials adoption process and managing the instructional materials distribution process;
- Administering a data collection system on public school information;
- Performing the administrative functions and services of the State Board for Educator Certification;
- Supporting SBOE operations, including carrying out duties related to the Permanent School Fund; and
- Monitoring for compliance with certain federal and state guidelines.

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

See individual sections provided by the agency on specific programs or functions and Section II: Key Functions and Performance.

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

Not Applicable

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

TEA supports students, parents, teachers, and administrators, as well as other educational partners throughout the State of Texas. During the 2009-2010 school year, TEA served over 4.8 million students in school districts and charter schools who attended schools that were organized into 1,030 school districts and 207 charter school operators.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

In addition to providing oversight and leadership to the broad functions of the agency mentioned above through the deputy commissioners, the Office of the Commissioner provides direct oversight over the following agency functions:

- Permanent School Fund/Chief Investment Officer;
- Internal Audit Division;
- Office of General Counsel;
- Communications; and
- Governmental Relations.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

100 Office of the Commissioner of Education

General Revenue	1,048,294
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100 Office of the Commissioner of Education Total	1,048,294
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H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

Not Applicable

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Not Applicable

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

The commissioner has authority over matters concerning the operation or administration of the 20 regional education service centers (TEC §8.001). TEC §7.055 requires the commissioner to serve as the executive secretary of the SBOE, and TEC §7.102(b) calls for the commissioner to provide advice and assistance to the SBOE.

K. Contracted expenditures made through this Division.

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

See individual sections provided by the agency on specific programs or functions and Section IX: Policy Issues.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

Not Applicable

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

A. Guide to Agency Programs / Divisions	
Division Number:	102
Division Name:	Statewide Policy and Programs
Deputy Commissioner:	Lizzette Gonzalez Reynolds
Expenditures, FY10:	1,137,955
Number of FTEs (8/31/10):	4.44

B. What is the objective of this division? Please describe the major activities performed.

The Deputy Commissioner for Statewide Policy and Programs exercises executive responsibility over State Initiatives, Standards and Programs, and Assessment, Accountability and Data Quality. The office is ultimately responsible for implementation of curriculum standards, textbook adoption, statewide professional development of teachers, grants program management, statewide student achievement testing and reporting, and the analysis of individual, school, and district performance.

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

See individual sections for Divisions that report to this office:

- 104 College & Career Readiness Initiatives
- 200 Standards and Programs
- 201 Standards and Alignment
- 210 Curriculum
- 211 Instructional Materials & Ed Technology
- 212 Student Assessment
- 251 School Readiness & Partnerships
- 600 Assessment, Accountability, & Data Quality
- 601 Accountability Research
- 602 Performance Reporting
- 604 Policy Coordination
- 605 Performance Based Monitoring
- 606 Information Analysis
- 607 Data Development, Analysis and Research

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

Not Applicable

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

Not Applicable

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

Provides leadership and oversight for Divisions listed in Question C. Reports directly to the Commissioner of Education.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

102 Statewide Policy & Programs

Federal Funds	440,735
General Revenue	697,220

102 Statewide Policy & Programs Total	1,137,955
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H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

Not Applicable

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency’s customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Not Applicable

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

Not Applicable

K. Contracted expenditures made through this Division.

Division Contracts Over 50k - FY10			
Division Number	Description	Contract Amount	Total Expenditures
102	BEST PRAC ONLINE CLEARINGHOUSE	700,000.00	16,230.00
102	BEST PRAC ONLINE CLEARINGHOUSE	729,869.00	179,882.20
102	UT AUSTIN NONSTANDARD DIALECT STUDY	500,000.00	104.19
102	EVALUATION OF TEACHER PD PROGR	2,000,000.00	118,405.97

L. What statutory changes could be made to assist this program in performing its functions? Explain.

See individual sections provided by reporting divisions and Section IX: Policy Issues.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

Not Applicable

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

A. Guide to Agency Programs / Divisions	
Division Number:	104
Division Name:	Dropout Prevention and College and Career Readiness Initiatives
Division Director:	Jan Lindsey
Expenditures, FY10:	3,286,287
Number of FTEs (8/31/10):	17.49

B. What is the objective of this division? Please describe the major activities performed.

The Division of Dropout Prevention and College and Career Readiness Initiatives (DPCCRI) provides policy guidance, strategic coordination, oversight, and grant management for state initiatives designed to prevent students from dropping out and recovering those who have, as well as helping secondary school students and adults prepare for college and career success in the 21st century economy. Initiatives include high school completion and college readiness; secondary school dropout prevention and recovery efforts; Texas Science, Technology, Engineering and Mathematics (T-STEM) academies; Early College High Schools (ECHS); the High School Allotment; federal adult basic education (ABE); GED testing; Communities in Schools (CIS); federal Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP); federal Title II B Math and Science Partnerships; and P-16 collaboration and alignment.

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

The effectiveness and efficiency of this division is demonstrated through external agency evaluations of the programs administered by the division, Legislative Budget Board performance measures, grantee progress reports, and Critical Success Factors used to monitor the implementation of individual grants. The following are some highlights of results from external evaluations of several of the larger programs administered by the division.

- Texas’ federally-funded ABE program exceeds the national average in all performance categories except one, with an overall performance of 12 percentage points higher than the national average.
- Based on its 2010 monitoring visit, the Office of Vocational and Adult Education reported that Texas’ federally-funded Adult Basic Education program had no areas of deficiency and recognized Texas for several noteworthy practices.
- The Even Start program received a “Commended” rating for meeting 100% of their program quality indicators.
- Over 1,200 students who had dropped out of school and were served in the Dropout Recovery program earned a high school diploma or demonstrated college readiness. The evaluator reported that Texas should expect a return of \$98 million in public benefits after accounting for initial program costs.
- In Cycle 2 of the Collaborative Dropout Reduction Pilot Program, 10% of the students showed an increase in TAKS math scores and 37 % showed an increase in TAKS science scores.
- Early College High School (ECHS) students in 9th grade were twice as likely to meet or exceed TAKS standards in Reading and Math. Grade 10 students were 2.3 times more likely to meet or exceed TAKS on all subject areas.

- ECHS students demonstrated a significantly greater likelihood of being promoted to 10th grade than students at comparison schools not implementing ECHS.
- Ninth grade students participating in the Ninth Grade Transition and Intervention Program scored statistically significantly higher (14.3 points) on the English Language Arts TAKS and (10.8 points) on the Math TAKS compared to ninth grade students who did not participate.
- T-STEM Grade 9 and Grade 10 students scored 27 and 21 points higher on TAKS- Math respectively than students from comparison schools.
- T-STEM students in Grade 10 scored 29 points higher on TAKS-Science than students from comparison schools.
- Of students served through the Communities in Schools program, 99% stayed in school and 86% improved in academic performance.
- Students in the Mathematics Instructional Coaches program made significant gains in TAKS math student achievement.

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

This division originated as a small unit attached to the Office of the Chief Deputy Commissioner. One of its primary missions was to serve as the public coordinator and collaborator for a unique public-private alliance called the Texas High School Project (THSP). THSP was designed to coordinate public and private initiatives to improve the college and career readiness of low-income students and to enhance the effectiveness of low-performing schools. The unit's initial role was to develop grant programs to test the impact of new, innovative school reform models, including Early College High School (ECHS) and Texas Science, Technology, Engineering, and Math (T-STEM) academies. With the growing recognition that these college readiness strategies were also effective in preventing students from dropping out, the unit also was assigned to manage \$50 million annually in dropout prevention grant programs along with the approximately \$50 million annually in grant programs for high school completion and success. As its responsibilities grew, the unit was moved from a staff to a line position and was designated a division within the State Initiatives department with additional responsibilities including administration of federal programs for adult basic education, GEAR UP, and Title IIB Math and Science Partnerships as well as the national Communities in School model.

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

The division operates a number of grant programs that are targeted to different segments of the population and are provide services to a variety of eligible entities including:

- 18 year olds and older without a high school diploma
- Low-income secondary school students from populations traditionally underrepresented in higher education
- Students attending low-performing schools
- Middle school and high school students at risk of dropping out
- Students who have already dropped out of school
- Independent school districts and charter schools
- Education Service Centers
- Institutions of Higher Education

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

The division is led by a Senior Director and is divided into three teams, each with a team lead who reports directly to the Senior Director. Each team lead supervises a team of professionals whose programs focus on programmatic areas within the scope of the division. In addition to the grants provided directly to eligible entities through competitive procurement, the division also manages several technical assistance contractors, utilized to provide technical assistance and professional development to program grantees. The division adheres to the agency’s policy and procedures governing federal and state contracts and grants. The division has no field or regional services, but works closely with the state’s regional education service centers to disseminate information and assistance to schools.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

104 Dropout Prevention and College and Career Readiness Initiatives

Federal Funds	1,947,546
General Revenue	1,338,741

104 Dropout Prevention and College and Career Readiness Initiatives 3,286,287

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

External entities with related responsibilities include:

1. The Texas Higher Education Coordinating Board (THECB), which operates several programs with similar goals and requirements involving college and career readiness initiatives. Several of these programs including the Online College Preparation program and the Intensive Summer Programs operate under a statutory mandate that the two agencies coordinate their efforts.
2. The Texas Workforce Commission (TWC), THECB, and TEA all are involved with adult literacy and adult basic education issues. While TEA administers federal funds to provide adult basic education services to adults without high school diplomas, THECB provides services to these individuals and other adults with a GED who are transitioning to higher education, while TWC provides services to those who have earned a GED and are seeking employment.
3. Because of the division’s emphasis on college and career readiness, the DPCCRI division works closely with THECB on dual credit issues. THECB has authority over the rules governing dual credit and TEA works with schools to implement dual credit opportunities for students, particularly those participating in the school reform models that the division manages.
4. Private foundations fund a number of school reform initiatives similar to the ones managed by the DPCCRI division. Because of the nature of public funds, the programs managed by the division generally are more prescriptive with more intensive monitoring and oversight than similar programs funded with private foundation funds.

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency’s customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The division coordinates with entities identified in H. in the following manner:

1. College and career readiness initiatives operated by both TEA and THECB are coordinated through MOUs, interagency agreements, and formal and informal working groups. The State P-16 Council serves as an effective forum for TEA, THECB, TWC, and the Department of Assistive and Rehabilitative Services. to share information about and coordinate related initiatives.
2. Relating to adult literacy and adult basic education issues, the division coordinates policy issues with TWC and THECB through the statutorily-created Texas Workforce Investment Council (TWIC) and the Interagency Literacy Council. Implementation issues are coordinated through an informal Tri-Agency Partnership established and led by the division.
3. Dual credit issues are coordinated informally through working groups and the recent joint development of a Dual Credit Frequently Asked Questions document.
4. The Texas High School Project (THSP) Alliance is comprised of public agencies, governmental representatives, and private foundations funding college and career readiness initiatives. The Alliance meets quarterly to discuss means of collaborating, coordinating, and sharing promising practices. DPCCRI division staff members are regular participants in Alliance meetings and activities.

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

As the designated state entity for managing a number of federal grant programs, the DPCCRI division works closely with the U.S. Department of Education. The adult education program is funded directly by the US Department of Education (USDE), Office of Vocational and Adult Education (OVAE). OVAE serves as the funder, regulatory entity, and the technical assistance provider. Other USDE-funded programs, including GEAR UP and Title II B Math and Science Partnerships, are administered by this division creating a grantor-grantee relationship between the federal agency and the division. Additionally, the division coordinates closely with the state’s regional education service centers to jointly disseminate information and assistance to schools. Local units of government, specifically independent school districts, receive grants, technical assistance, and information on effective research-based strategies and promising practices from the division.

K. Contracted expenditures made through this Division.

Division Contracts Over 50k - FY10			
Division Number	Description	Contract Amount	Total Expenditures
104	BRENDA KING - CIS FACILITATOR	50,000.00	17,164.59
104	HCDE - ADULT EDUCATION	4,264,854.00	1,311,237.50
104	SHAPLEY - TEXAS HIGH SCHOOL PROJECT	143,327.50	65,930.00

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Not Applicable

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

Not Applicable

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

A. Guide to Agency Programs / Divisions	
Division Number:	110
Division Name:	Permanent School Fund
Division Director:	Holland Timmins
Expenditures, FY10:	9,506,348
Number of FTEs (8/31/10):	26.33

B. What is the objective of this division? Please describe the major activities performed.

The key function of this office is to work with the State Board of Education (SBOE) and its committees and with consultants to develop, implement, and oversee investment strategies and operations of the Texas Permanent School Fund (PSF) to help the PSF exceed its performance goals and legislative objectives. In performing this function, the major activities within this department are the following:

- implementing the SBOE's directives for investment of PSF assets, including portfolio management, ethics and investment compliance monitoring, contract management and vendor relations, and oversight of external investment managers, securities lending agent, custodian, and investment consultants;
- providing all accounting functions for all PSF investment portfolios, clearing and settling daily trade activity, reconciling with custodian and Integrated Statewide Administrative System/Uniform Statewide Accounting System (ISAS/USAS), and keeping current and historical PSF accounting records;
- meeting and/or exceeding performance objectives of fixed-income, equity and alternative asset portfolios;
- preparing and presenting financial documents for: audited financial statements and the Annual Report; performance reports; legislative and statutory reporting requirements; regulatory filings; and SBOE meeting materials;
- developing investment policies, procedures, and risk controls and providing investment advice and education for the SBOE and its committees.
- managing division operations and administrative functions such as developing and maintaining operational, systemic, and financial risk controls; ensuring staff development and training; and creating and monitoring the division budget;
- providing systems support for a collection of complex software applications required to manage and account for the PSF (CAMRA, Factset, BARRA, McGregor, Bond Edge, Yield Book,, Stockval, Bloomberg);
- providing accounting for the Bond Guarantee Program, preparing all required financial and disclosure documents and oversight of the BGP;
- representing the agency and the SBOE in managing PSF relations with the State Auditor's Office, comptroller, legislature and its committees, General Land Office, Legislative Budget Board, the SBOE's Committee of Investment Advisors, attorney general, and the Governor's Office; and
- facilitating communications for the SBOE, Committee of Investment Advisors , SBOE School Finance/PSF Committee, investment consultants, agency administration, and providing record keeping for all documents.

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

PSF Total Return			
	1-Year	3-Years	5-years
PSF	13.06%	4.41%	4.91%
Target Policy	12.97%	4.13%	4.63%
Excess Return	0.09%	0.28%	0.28%

Distributions to the ASF Biennium's (\$ Millions)		
2008-2009	2010-2011	2012-2013
\$1,433.10	\$1,153.70	\$1,886.00

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

The significant historical events for the PSF can be found in Section II: History and Major Events of the agency's Self-Evaluation Report.

Over the years, the services provided by the PSF Office have changed as the investment markets have changed. Originally the PSF invested only in fixed income securities issued by government entities. In 1961, the SBOE was authorized in all types of corporate securities including corporate bonds and common stocks. In 1994, the SBOE adopted a new asset allocation structure for the PSF which included high yield fixed income securities and international stocks and fixed income securities. In 2006, the SBOE adopted a new asset allocation for the PSF which included alternative assets. These include investments in Global Risk Control Strategies (Absolute Return and Risk Parity), Private Equity and Real Estate. In 2010 the SBOE added Charter Schools in the portfolio asset mix. The changing nature of the allowable investment types necessitate changes in the types of services provided by the PSF Office.

So long as the Texas Constitution continues to protect the PSF and its main source of ongoing revenue, the royalties from oil and gas on lands owned by the PSF, the mission of the PSF Office will never be complete. The function of managing and administering a sound investment policy will continue to grow in importance as the value of the PSF continues to grow. Concurrently, as the student population of the state continues to grow, the amount of money provided by the PSF to the ASF will continue to increase in importance in order to help fund the costs of public education. The mission of the PSF Office will continue to grow along with the value of the PSF and the cost of funding public education.

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

This program affects the amount of money provided by the state to fund public education.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

The Texas PSF Investment Procedures Manual and the SBOE rules in 19 TAC Chapter 33, Statement of Investment Objectives, Policies, and Guidelines of the Permanent School Fund, specify the policies and procedures for administering the PSF and control the activities of the PSF. The procedures manual is provided as a separate exhibit. The rules in 19 TAC Chapter 33 are available on the agency's website at <http://www.tea.state.tx.us/rules/tac/index.html>.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

110 Permanent School Fund

General Revenue	812,190
Other Funds	8,694,158

110 Permanent School Fund Total **9,506,348**

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

Not Applicable

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Not Applicable

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

Not Applicable

K. Contracted expenditures made through this Division.

Division Contracts Over 50k - FY10			
Division Number	Description	Contract Amount	Total Expenditures
110	SUBSCRIPT/ON-LINE RESEARCH SERV	61,000.00	16,000.00
110	CAMRA ANNUAL MAINTENANCE	1,210,732.00	177,622.00
110	TX. PSF INVESTMENT CONSULTING	1,543,382.34	48,317.30
110	STOCKVAL SUBSCRIPTION	116,666.64	5,833.34
110	FIXED INCOME ANALYTICS SYSTEM	354,000.00	60,000.00
110	ANNUAL FIN STMTNT AUDIT FOR PSF	374,722.80	121,900.00

Division Contracts Over 50k - FY10			
Division Number	Description	Contract Amount	Total Expenditures
110	LEGAL COUNSEL FOR SBOE & PSF	550,077.20	198,269.21
110	PSF	186,045.00	34,694.16
110	PSF	118,500.00	15,550.00
110	REAL ESTATE INVESTMENT COUNSEL	1,275,800.00	400,000.00
110	PSF	338,600.00	116,800.00
110	OUTSIDE LEGAL COUNSEL FOR SBOE	600,000.00	201,750.32
110	PSF	1,449,000.00	540,000.00
110	PSF	107,000.00	14,500.00
110	PSF WEB PORTAL	122,000.00	77,000.00
110	PSF	586,890.00	229,951.28
110	PSF	1,147,808.21	472,051.63
110	PSF	392,200.00	59,253.58
110	INVESTMENT STAFF MASTER AGREE	90,120.00	13,491.01
110	PSF	975,972.51	135,615.59
110	PSF	200,700.00	99,250.00

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Not Applicable

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

Not Applicable

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

A. Guide to Agency Programs / Divisions	
Division Number:	120
Division Name:	Department of Accreditation
Associate Commissioner:	Laura Taylor
Expenditures, FY10:	489,183
Number of FTEs (8/31/10):	4.33

B. What is the objective of this division? Please describe the major activities performed.

The Department of Accreditation oversees the Office of Program Monitoring and Interventions, which includes the Divisions of Program Monitoring and Interventions and Governance and General Inquiries, and the Divisions of Financial Audits and Charter School Administration. The purpose of the Department of Accreditation is to support the accomplishment of the state’s goals for public education by supporting innovative charter school options; establishing and implementing systems of financial accountability; and reviewing, monitoring, acknowledging, sanctioning, and intervening in school districts and campuses to ensure excellence in education for all students. Specifically, the Department of Accreditation does the following:

- Provides leadership for all of the charter school administration, financial audit, governance and general inquiry, and program monitoring and intervention functions of the agency;
- Oversees the development, implementation, assignment, and monitoring of the annual state accreditation statuses for traditional independent school districts (ISDs) and charter schools;
- Oversees the review of annual financial reports, agreed-upon procedures reports, depository contracts, superintendent buyout agreements, and other related records and reports filed by ISDs, charters, and regional education service centers (ESCs) and the audit, investigation, and review of financial and student attendance accounting systems, federal and state grant administration, procurement practices, and transportation programs pertaining to ISDs, charters, regional ESCs, and other organizations;
- Oversees the planning and development of standards and the implementation, collection, management, and monitoring of public school district financial accountability ratings through the School FIRST (Financial Integrity Rating System of Texas) system and Charter FIRST financial accountability system;
- Oversees the process for ISDs and charters that request informal reviews of audits or investigative reports and special accreditation investigation (SAI) findings and conducts reviews related to other interventions and sanctions assigned under the Texas Education Code (TEC) Chapter 39, as applicable to the Department of Accreditation;
- Conducts record reviews for districts or charter schools assigned an accreditation status of Accredited-Warning or Accredited-Probation or a sanction for which a record review is available and oversees the process for conducting record reviews for districts and charters assigned an accreditation status of Not Accredited-Revoked;
- Oversees audit, investigation, monitoring, and intervention activities in ISDs and charters in the areas of finance, governance, district and campus performance in the state’s academic accountability rating system, data validation, special education, bilingual education/English as a second language (ESL), career and technical education (CTE), and the No Child Left Behind Act of 2001 (NCLB) and in other areas as required by statute or court order;

- Coordinates the Monitoring, Investigation, and Interventions Steering Committee (MIISC) and implementation of certain district and campus interventions and sanctions under TEC Chapter 39, including, but not limited to, the assignment of campus intervention teams (CITs), monitors, conservators, management teams, and boards of managers;
- Coordinates the process for issuing new charters amongst several other intra-agency departments and the State Board of Education (SBOE) and oversees an internal database specific to charters;
- Oversees the issuance of charter renewal contracts as well as the charter amendment process and oversees the charter school program grant project, as approved by the United States Department of Education (USDE);
- Coordinates with other agency departments and the Texas Center for District and School Support to provide support to low-performing districts and schools and implement state and federal accountability intervention requirements; and
- Provides policy guidance in related areas and develops, amends, and implements related rules of the SBOE and commissioner.

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

The primary performance measures reside in reporting divisions and can be found in the responses submitted by the Divisions of Program Monitoring and Interventions, Governance and General Inquiries, Financial Audits, and Charter School Administration. However, below are some key statistics related to the policy and oversight role served by the Department of Accreditation.

During the 2010-2011 school year, the Department of Accreditation evaluated all 1,235 traditional ISDs and charter schools in Texas and assigned an accreditation status to each based on criteria outlined in TEC §39.051 and §39.052 and 19 Texas Administrative Code (TAC) §97.1055. Of the 1,235 traditional ISDs and charter schools in Texas, 37 required further action as a result of receiving a lowered accreditation status or due to the need to gather additional data prior to status assignment.

From January 1, 2010 through December 31, 2010, the Department of Accreditation drafted, monitored, responded to public comment, and shepherded through to adoption eight commissioner of education and/or SBOE rule packages. In addition, the department also conducted 45 Monitoring, Investigation, and Interventions Steering Committee (MIISC) meetings, which resulted in evaluating 61 action items. Of the 61 action items evaluated by MIISC, 45 MIISC-supported actions required correspondence to be drafted by or action to be taken by staff within the Department of Accreditation.

During the 2009-2010 school year, the Department of Accreditation initiated, drafted, or substantially edited investigative reports for local education agencies (LEAs) regarding ongoing issues related to financial management, academic performance, program performance, governance, health and safety, or general operation. Many of these reports resulted in LEAs requesting a hearing, informal review, or record review related to the findings identified in the investigative report or as a result of a proposed sanction or intervention. In some instances, these LEAs may request additional due process, which can result in internal reviews, hearings, and/or litigation. During 2009-2010 and 2010-2011, the Department of Accreditation has researched and gathered historical information, engaged in witness preparation, and attended meetings and hearings related to pending litigation filed against the agency by ISDs and charter schools.

Additionally, during the 2009-2010 school year, the Department of Accreditation evaluated 1,232 traditional ISDs and charter schools in Texas and assigned an accreditation status to each based on criteria outlined in TEC §39.051 and §39.052 and 19 TAC §97.1055. Of the 1,232 traditional ISDs and charter schools in Texas, 34 initially required further action as a result of receiving a lowered accreditation status or due to the need to gather additional data prior to status assignment.

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

During the 79th Texas Legislature, Third Called Session, 2006, House Bill 1 (HB 1) was passed, which amended the TEC, Chapter 39, Public School System Accountability. The HB 1 changes addressed the accreditation of school districts; sanctions and interventions for school districts, charter schools, and campuses; and the review by the State Office of Administrative Hearings of certain sanctions. As a result, the TEA adopted rules to implement these changes. Specifically, 19 TAC Chapter 97, Planning and Accountability, Subchapter DD, Investigative Reports, Sanctions, and Record Reviews was amended, and 19 TAC Chapter 97, Planning and Accountability, Subchapter EE, Accreditation Status, Standards, and Sanctions and 19 TAC Chapter 157, Hearings and Appeals, Subchapter EE, Review by State Office of Administrative Hearings: Certain Accreditation Sanctions were adopted to establish new and revised rules in compliance with HB 1 and to clarify and codify TEA practice, as well as the commissioner of education's intent, regarding accreditation issues. This rule adoption was effective on January 6, 2008. Prior to the passage of HB 1, the current accreditation system did not exist.

As a result, and under the authority of TEC §39.071 (since renumbered and revised to TEC §39.051 and §39.052) and the newly-adopted 19 TAC §97.1055, the TEA assigned accreditation statuses to school districts for the first time under the new authority for the 2007-2008 year. For 2007-2008, charter schools were not assigned accreditation statuses under TEC, Chapter 39 because they were not included in the Financial Integrity Rating System of Texas (FIRST or School FIRST) financial accountability rating system. In November 2008, the commissioner adopted amendments to 19 TAC Chapter 97, Planning and Accountability, to include charter schools in the accreditation process and to assign charters financial performance findings in lieu of a financial accountability rating. In 2008-2009, TEA again assigned accreditation statuses to districts, and open-enrollment charter schools were assigned accreditation statuses for the first time.

During the 81st Texas Legislature, Regular Session, 2009, House Bill 3 (HB 3) was passed, which renumbered and revised sections of the statute that describe accreditation status assignment, special accreditation investigations, and accreditation interventions and sanctions. Furthermore, HB 3 established the requirement that a financial solvency review be conducted for districts, the results of which may have an impact on a district's assigned accreditation status. Revisions to TEC §39.082 required that open-enrollment charter schools be included in the financial accountability rating system implemented by the agency. The agency adopted rules at 19 TAC §109.1002(e), effective May 31, 2010, to incorporate charter financial accountability requirements into FIRST. The first accreditation statuses to be assigned under new HB 3 charter school financial accountability requirements and the adopted rules were assigned in spring 2011 for the 2010-2011 school year. However, given the timing of the initial solvency calculation and the development by districts of any subsequent financial plans, it is anticipated that the first accreditation status assignment to be impacted by the financial solvency review will be in 2011-2012.

TEC §39.103(c) was added in HB 3 to state that, notwithstanding the provisions of TEC, Chapter 39, Subchapter E, the commissioner may accept as being in compliance with Subchapter E any substantially similar intervention measures implemented by a campus in response to federal accountability requirements. The addition of this provision allows the commissioner to align, to the extent possible, the interventions required under the federal and state accountability systems. In response, the agency adopted rules at 19 TAC §97.1061(f) to implement this change. Furthermore, the agency, in coordination with the Texas Center for District and School Support authorized under Rider 93 of the General Appropriations Act of the 81st Legislature, has taken steps to identify those campuses subject to interventions in both the state and federal accountability systems and implement strategies to align intervention requirements and, to the extent possible, eliminate duplicative intervention efforts. This alignment has included pilot activities addressing the coordination of improvement plans, the consolidation of required improvement teams and technical assistance providers, and the coordination of activities related to grants and improvement initiatives. Initial alignment activities were implemented in 2010-2011, and it is expected that additional alignment activities will be implemented in subsequent school years.

Please refer to Part D of each of the following divisions for additional information related to important history: Program Monitoring and Interventions, Governance and General Inquiries, Financial Audits, and Charter School Administration.

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

The Department of Accreditation provides oversight and guidance related to interventions and sanctions for all ISDs and charter schools in Texas. In addition, the department provides oversight and guidance to personnel in the regional ESCs as well as the CITs, monitors, conservators, and boards of managers assigned to ISDs and charter schools in an effort to address performance concerns and correct identified areas of noncompliance. The department also provides information to other state agencies, local, state, and federal public officials, as well as the general public.

During the 2010-2011 school year, the Department of Accreditation evaluated all 1,235 traditional ISDs and charter schools in Texas and assigned an accreditation status to each based on criteria outlined in TEC §39.051 and §39.052 and 19 TAC §97.1055. When assigning an accreditation status to an ISD or charter school, the Department of Accreditation receives input from the academic and financial accountability systems, compliance and effectiveness results from special program monitoring, audit and financial solvency findings, district governance and operations information, and other related and relevant accreditation data, including the results of SAIs.

In addition, the Department of Accreditation works closely with the SBOE on approving contracts for charters, as well as approving new board members for special purpose school district boards of trustees.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

During fiscal year 2011, the Associate Commissioner for Accreditation reported directly to the Deputy Commissioner for School District Leadership and Educator Quality. The Department of Accreditation

consisted of an Associate Commissioner, an Executive Assistant, and a Management Analyst. Responsibilities for the Department of Accreditation are noted in Part B of this section, and additional information is included in Part C.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

120 Accreditation

Federal Funds	153,633
General Revenue	332,589
Other Funds	2,961

120 Accreditation Total 489,183

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

The Texas Private School Accreditation Commission (TEPSAC) accredits private schools in Texas but does not monitor, regulate, or assign accreditation statuses to public schools in Texas. The department and its divisions coordinate regularly with the agency divisions/offices of Legal Services; Planning, Grants, and Evaluation; Performance-Based Monitoring; Performance Reporting; Curriculum; Individuals with Disabilities Education Act (IDEA) Coordination; and NCLB Coordination to implement its responsibilities.

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency’s customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The department coordinates weekly MIISC meetings. The TEA staff members who attend these weekly meetings consist of manager-level staff and above and represent the different departments in the agency. The weekly MIISC meetings allow staff to discuss relevant informational updates and the potential implementation of certain district and campus interventions and sanctions under TEC, Chapter 39, including, but not limited to, the assignment of CITs, monitors, conservators, management teams, and boards of managers. The forum allows agency staff to bring complex and/or technical topics to the group for consideration and discussion to promote informed and coordinated agency decision making.

Please refer to Part I of each of the following divisions for additional information related to how each division is coordinating its activities to avoid duplication: Program Monitoring and Interventions, Governance and General Inquiries, Financial Audits, and Charter School Administration.

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

The department works with LEAs across the state of Texas to ensure that school districts and charter schools are complying with state and federal regulations. The department is in continuous communication with certain LEAs regarding interventions and sanctions, investigations, and accreditation status assignments. (See Sections C and E for additional information.)

Additionally, the department coordinates certain intervention activities with regional ESCs, including,

but not limited to, the provision of financial management assistance to LEAs, the provision of necessary professional development for certain LEAs and relevant staff members, the provision of governance training for LEA board members, and the removal and storage of student records from LEAs that are ordered closed.

Upon request, the department provides technical information to the USDE Office of Inspector General (OIG). The department also oversees certain sanctions that result in the closure of districts. As a result, the department works closely with the TEA Legal Division as well as the United States Department of Justice (DOJ) to obtain pre-clearance from the federal government prior to closing an ISD.

K. Contracted expenditures made through this Division.

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Possible statutory changes may include provisions for oversight and sanction of charter schools that would: (1) provide for an initial review period before a charter contract was granted to allow for a review of initial performance; (2) allow for automatic revocation if certain performance standards are not met; (3) grant the authority to intervene in charter school governance by reconstituting or removing a governing board to provide for effective governance; and/or (4) create incentives or systems that require for minimum charter school size to provide for more efficient use of financial and compliance resources.

Please refer to Part L of the Charter School Administration SER for additional information related to statutory changes that could be made.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

To learn more about the accreditation status assignment process, please visit the TEA website at <http://www.tea.state.tx.us/accredstatus>.

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

The Department of Accreditation oversees monitoring, auditing, and certain investigation functions. In addition, the department oversees the process for approving charter amendments, as well as the development, implementation, assignment, and monitoring of the annual state accreditation statuses for traditional ISDs and charter schools. Please refer to Part B for additional information related to the department's regulatory duties.

Accreditation statuses are assigned, interventions and sanctions are assigned, and investigations are conducted in accordance with TEC, Chapter 39, Public School System Accountability. The commissioner of education has adopted rules and due process procedures to administer the statutory requirements outlined in TEC, Chapter 39. The rules and procedures for assigning accreditation statuses, conducting investigations, issuing interventions and sanctions, notifying LEAs of preliminary findings, offering LEAs an opportunity to refute preliminary findings, issuing final investigative reports, and making final sanction determinations are outlined in 19 TAC, Chapter 97, Subchapter DD, Investigative Reports,

Sanctions, and Record Reviews; 19 TAC, Chapter 97, Subchapter EE, Accreditation Status, Standards, and Sanctions; and 19 TAC, Chapter 157, Subchapter EE, Review by State Office of Administrative Hearings: Certain Accreditation Sanctions.

Please refer to Part N of each of the following divisions for additional information related to the department's monitoring, investigation, and auditing functions: Program Monitoring and Interventions, Governance and General Inquiries, and Financial Audits.

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

A. Guide to Agency Programs / Divisions	
Division Number:	130
Division Name:	Communications & State Board of Education Support
Division Director:	Debbie Ratcliffe
Expenditures, FY10:	1,248,796
Number of FTEs (8/31/10):	12.50

B. What is the objective of this division? Please describe the major activities performed.

The Division of Communications and State Board of Education Support performs these primary duties:

- Provides administrative support to the elected State Board of Education;
- Handles news media relations for the agency;
- Staffs agency's main switchboard;
- Provides graphic services to agency;
- And shares duty for maintaining and updating TEA website.

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

- Typically handles 1,500 to 4,500 web publication requests per month. www.tea.state.tx.us
- Answers more than 500 calls per day through the main agency switchboard. In June 2011, 11,681 calls come to the main switchboard.
- Answers media inquiries on a wide array of topics ASAP.
- Answers an average of 289 general email inquiries and 15 to 20 formal open records requests each month .
- Produces a 300 to 600 page State Board of Education agenda five times a year. <http://www.tea.state.tx.us/index4.aspx?id=3784>

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

The division assumed the job of web content approver about two years ago. Now all web publications come through our office for review and approval. This occurred at the same time the agency changed to a web content management system rather than using a Unix server so we have helped review and move all relevant web content from the old website to the new website.

The division assumed administrative support duties for the State Board of Education in 2003. Those duties have changed over the years as we added a live audiocast of the board meetings, a live videocast of the board meetings and put virtually all agenda material on the agency website for the public's review.

The operation of the press office has changed as communication channels evolved. Fifteen years ago, staff walked and faxed press releases to reporters. Now we deliver agency news via email, the web, RSS feeds, and Twitter – routes that take the news quickly to reporters and the general public.

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

This division affects the agency's relationship with media around the world. We work with the most skilled and seasoned reporters to the most casual bloggers.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

The division is headed by a director III. Two staff members report to a manager II, who reports to the director III. All other staff report directly to the director.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

130 Communications and SBOE Support	
General Revenue	1,248,796
130 Communications and SBOE Support Total	1,248,796

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

We provide a daily news clipping service for agency staff. This service is similar to a service provided by Texasisd.com, although we frequently include different news stories in our clips. In light of the state's budget and staffing cuts, we will be eliminating this service and directing staff to this external website as well as to Google alerts.

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

See answer in Section H.

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

We provide information to school districts and Education Service Centers about newly adopted State Board of Education rules and actions via Texas Register postings, postings on the agency's website, newsletters, news releases and letters. We play a similar role in relaying agency actions to districts and service centers.

K. Contracted expenditures made through this Division.

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Government Code 551.127, Videoconference Call, could be updated to reflect modern technology and other requirements. A 2009 statute requires meetings of the State Board of Education to be videocast over the Internet. Government Code 551.127(f) says the board may meet by videoconferencing but each member must be clearly visible and audible to all participants. It is hard, if not technically impossible, to meet the requirements of the videocasting (Texas Education Code 7.106(b)) statute, as well as those of the government code, so this has effectively eliminated the board's ability to meet by videoconference call should the need arise.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

Not Applicable

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

A. Guide to Agency Programs / Divisions	
Division Number:	140
Division Name:	Governmental Relations
Division Director:	M.J. Nicchio
Expenditures, FY10:	351,939
Number of FTEs (8/31/10):	3.00

B. What is the objective of this division? Please describe the major activities performed.

The Governmental Relations Division is responsible for coordinating consistent communication with the legislature, legislative agencies, other state agencies, and professional organizations. The division responds to requests for information from the legislature and the Legislative Budget Board, monitors and tracks state and federal education legislation and regulation development and provides information to assist with the initiation and development of state and federal legislation benefiting public education and the state of Texas. The division also notifies school districts of changes made by the legislature and prepares reports and briefing documents which detail legislative actions and the impact on public education.

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

Not Applicable

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

The Governmental Relations Division was created as a standalone division in 1993; prior to that the legislative liaison functions were part of the Office of Management Services. This division was created to act as the agency liaison with the Texas Legislature and the Texas Congressional delegation on state and federal legislative and regulatory matters. It also coordinates consistent communication with the legislature, monitors and provides information to committees during the session and for interim studies, develops the State Board of Education’s and agency’s legislative recommendations.

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

Functions performed by the Governmental Relations Division serve all internal agency divisions, legislative agencies, professional organizations and school districts. The provision of timely and accurate information to policymakers is essential for the development of education initiatives. The notification of changes to education statutes is vital for school districts to update and implement their local policies.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

The Division of Governmental Relations reports directly to the Chief of Staff.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

140 Governmental Relations

General Revenue	343,277
Other Funds	8,662
140 Governmental Relations Total	351,939

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

Not Applicable

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Not Applicable

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

Not Applicable

K. Contracted expenditures made through this Division.

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Not Applicable

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

Not Applicable

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

A. Guide to Agency Programs / Divisions	
Division Number:	150
Division Name:	Internal Audit
Division Director:	Bill Wilson
Expenditures, FY10:	402,008
Number of FTEs (8/31/10):	4.00

B. What is the objective of this division? Please describe the major activities performed.

The objective of the Internal Audit Division is to provide an independent appraisal function whose purpose is to examine and evaluate agency activities. Duties also involve performing investigations of employee misconduct and fraud, performing consultative services to management and the Commissioner, and liaison to external auditors. In carrying out duties, Internal Audit has free and unrestricted access to all agency activities, records, property, and personnel and those of agency contractors and subcontractors. The Internal Audit Division is established within the Commissioner of Education's Office. The director of Internal Audit is appointed by, and reports directly to, the Commissioner of Education. The Internal Audit Division is responsible for:

- Reviewing operating activities of the agency at appropriate intervals to determine whether results are consistent with established goals or objectives, and if operations are implemented as planned;
- Reviewing the accuracy and integrity of financial and other information reported to the public and other agencies of government, and assessing the reliability of the systems used to generate that information;
- Reviewing compliance with laws, regulations, rules, and operating procedures that have a significant impact on agency operations and reports;
- Reviewing the safeguarding of assets and, when appropriate, verifying the existence of assets;
- Reviewing the economy and efficiency with which resources entrusted to the agency are employed, identifying opportunities to improve operating performance;
- Advising in the planning, design, installation, and production phases of computer based systems to evaluate whether adequate controls are incorporated in the systems, thorough system testing is done at appropriate stages, system documentation is complete and accurate, and the needs of user organizations are met;
- Reviewing agency guidelines for ethical conduct, assuring compliance with the highest standards; and,
- Performing investigations as requested by management and the Commissioner.

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

The effectiveness of the internal audit function is determined by the value added to improve agency operations through (1) timely completion of audits and investigations, (2) recommendations resulting in efficiency and effectiveness of agency operations and services, and (3) identifying significant risk to define areas needing improvement.

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

The internal audit function was established by the Texas Internal Auditing Act (Texas Government Code Chapter 2102) and under the authority of the Texas Education Code Section 7.022. The services or functions have not changed from the original intent of the above statutes.

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

The internal audit function affects all functions and operations of the agency. The Texas Internal Auditing Act requires that the Internal Auditor have professional certification as a Certified Internal Auditor or a Certified Public Accountant. All auditors in the department are encouraged to pursue professional certifications including the CIA, CPA, Certified Government Audit Professional, as well as other certifications in the auditing, accounting, information systems, and investigation fields. Certification is required for senior level auditors and for career advancement in the division.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

The Internal Audit Division performs its function in accordance with the Standards for the Professional Practice of Internal Auditing, Code of Ethics prescribed by the Institute of Internal Auditors, and Governmental Auditing Standards.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

150 Internal Audit	
General Revenue	376,047
Other Funds	25,961
150 Internal Audit Total	402,008

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

The State Auditor's Office and federal agencies also audit and review agency activities and operations. The auditing standards followed by these entities are similar to standards followed by the Internal Audit Division in the performance of its duties. The Internal Audit Division coordinates closely with these outside auditing entities to avoid duplication of work, to assist on audits, and to share audit information.

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

See response in Part H above.

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

See response in Part H above.

K. Contracted expenditures made through this Division.

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

None. The Texas Internal Auditing Act clearly outlines the responsibility and function of internal audit and requires that professional auditing standards be following in performing internal audit duties.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

Not Applicable

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

A. Guide to Agency Programs / Divisions	
Division Number:	160
Division Name:	Office of Legal Services
Division Director:	David Anderson
Expenditures, FY10:	5,592,670
Number of FTEs (8/31/10):	30.00

B. What is the objective of this division? Please describe the major activities performed.

Provide legal guidance for all aspects of agency operations and as appropriate for the State Board of Education (SBOE) and State Board for Educator Certification (SBEC). Advises and prosecutes enforcement actions involving school districts, charter schools, driver education providers, educators and educator preparation programs. Operates dispute resolution programs under federal special education laws (IDEA). Provides hearings for disputes under state educator employment contracts, federal grants, agency contracts and general questions of state education statutes. Coordinates with the Attorney General’s Office in all agency litigation and outside counsel where authorized. Assists with public information requests, personnel, contracting, and rulemaking activities.

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

Most of the division’s work is in support of other agency divisions. Programs administered within the division include:

- Commissioner’s hearings decisions: approximately 250 hearings filed per year (approximately 150 heard by a local hearing officer appointed by the Commissioner).
- Special education dispute resolution: approximately 350-400 request for due process hearing or mediation per year.
- Approximately 200 SBEC licensing cases initiated per year.
- Approximately 2,000 public information requests received by the agency per year.

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

Significant changes have been:

- Adding the SBEC prosecution function in 2005, with an increase of approximately 10 positions to support litigation involving educator certification.
- Combining the IDEA mediation program with the existing due process hearings program as part of the agency reorganization in 2003.
- Executing an MOU with the State Office for Administrative Hearings (SOAH) in 2002 to conduct all contested case hearings in which the agency is a party.
- Addition of an agency confidentiality officer as an attorney in the division in 2007 to oversee public information requests.

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

The division affects all constituents of public education. The agency, SBOE and SBEC are served in a number of roles in rulemaking, prosecution, business operations and general advice. School districts, regional education service centers and educators are served as constituents inquiring about school laws, parties to hearings conducted by the agency, and as the subjects of agency enforcement actions. Parents, local trustees and the general public are served as constituents making inquiries about school laws generally. Parents and school districts are served as parties to special education dispute resolution.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

Most of the division responds directly to the needs of a client division within the agency. Individual lawyers are assigned specifically to agency charter school, contracting, human resources, public information, governance, and administrative hearing operations and report either to the General Counsel, Deputy General Counsel, an Associate General Counsel, or a Senior Counsel. Nine lawyers and support staff led by an Associate General Counsel work directly with the agency certification division to prosecute cases on behalf of SBEC and report to the Deputy General Counsel. Four lawyers and support staff are led by an Associate Deputy Counsel and work directly with IDEA staff as well as administering the two dispute resolution programs, reporting to the General Counsel. Three lawyers and support staff assist the agency monitoring and enforcement functions and are led by an Associate Deputy Counsel, reporting to the General Counsel. The agency confidentiality officer assists the agency public information function under the leadership of a Senior Counsel who provides general school law services, reporting to the General Counsel. Administrative Law Judges report to the Deputy General Counsel.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

160 General Counsel

Federal Funds	2,586,764
General Revenue	2,978,743
Other Funds	27,163

160 General Counsel Total **5,592,670**

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

The State Office of Administrative Hearings (SOAH) conducts administrative hearings and mediations. The agency has an existing MOU with SOAH to conduct all hearings in which the agency is a party, which would include charter school revocations under TEC Chapter 12, campus and district/charter closures under TEC Chapter 39, and sanctions against the certification of educators under TEC Chapter 21. The agency hears appeals from school board decisions in employment disputes between school districts and educators under TEC Chapter 21, disputes arising under the Education Code under TEC Section 7.057

and boundary disputes between school districts under TEC Chapter 13. The agency contracts with private attorneys under IDEA to conduct due process involving special education disputes that are appealable directly to federal court; the same panel of private attorneys also conduct mediations involving special education disputes.

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency’s customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The agency follows a longstanding policy of referring to SOAH any administrative hearing in which the agency (including agency staff acting on behalf of the SBOE or SBEC) is a party to avoid any appearance of favoritism. Hearings and appeals conducted by the agency are limited to disputes between individuals and school districts or school districts themselves where the expertise of agency staff provides a benefit. Special education due process hearings are required by federal law to be conducted by individuals who are not employees of the agency administering that federal grant, may not be revised in any way by the agency, and are appealable directly to federal court. The division’s role in special education hearings and mediations is limited to contracting for those services and evaluating the contractors biennially on a contract renewal cycle.

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

The division is a resource for school districts, charter schools and regional education service centers for information about the laws affecting public education in Texas. The division coordinates directly with the Attorney General’s Office in all agency litigation, including court appeals of administrative hearings. The division has an advisory role in most of the agency’s dealings with all state and federal agencies.

K. Contracted expenditures made through this Division.

Division Contracts Over 50k - FY10			
Division Number	Description	Contract Amount	Total Expenditures
160	HEARING OFFICER / MEDIATOR	610,000.00	131,962.39
160	HEARING OFFICER / MEDIATOR	381,238.11	42,404.97
160	HEARING OFFICER / MEDIATOR	812,296.64	166,537.48
160	HEARING OFFICER / MEDIATOR	170,000.00	26,308.69
160	HEARING OFFICER / MEDIATOR	775,017.28	221,297.31
160	HEARING OFFICER / MEDIATOR	352,000.00	63,163.38
160	HEARING OFFICER / MEDIATOR	787,260.44	197,201.64
160	HEARING OFFICER / MEDIATOR	488,000.00	121,687.48
160	HEARING OFFICER / MEDIATOR	383,743.74	84,595.92
160	HEARING OFFICER / MEDIATOR	365,000.00	65,604.08
160	HEARING OFFICER / MEDIATOR	564,703.81	159,495.51
160	HEARING OFFICER / MEDIATOR	202,000.00	3,437.36
160	COURT REPORTING SERVICES	430,000.00	79,179.46

Division Contracts Over 50k - FY10			
Division Number	Description	Contract Amount	Total Expenditures
160	COURT REPORTING SERVICES	200,000.00	14,849.25
160	COURT REPORTING SERVICES	590,000.00	99,998.57
160	COURT REPORTING SERVICES	71,000.00	188.18
160	COURT REPORTING SERVICES	95,000.00	7,095.28
160	OFFICE OF COURT ADMINISTRATION	140,000.00	30,291.92
160	OFFICE OF COURT ADMINISTRATION	140,000.00	105,523.09
160	COURT REPORTING SERVICES	84,000.00	27,994.70
160	2010 TX SCHOOL LAW BULLETIN	64,300.00	62,056.00
160	HEARING OFFICER / MEDIATOR	579,948.33	119,037.27
160	HEARING OFFICER/ MEDIATOR	202,000.00	16,864.14
160	COURT REPORTING SERVICES	70,886.00	30,794.36
160	OUTSIDE LEGAL COUNSEL	97,655.00	1,400.00

L. What statutory changes could be made to assist this program in performing its functions? Explain.

The function of prosecuting sanctions against educators on behalf of SBEC is limited by TEC Section 21.355, which the Attorney General's Office has determined to prevent a school district from sharing local appraisal records with the agency. Court decisions have construed the term "document evaluating the performance of a teacher" broadly to include reprimands, making access to local investigations of teacher misconduct problematic. Significant resources are devoted to replicating local investigations that could otherwise have been shared with the agency.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

Not Applicable

O. For each regulatory program, if applicable, please provide complaint information.

160 – Legal/SBEC Information on Complaints Against Regulated Persons or Entities Fiscal Years 2009 and 2010		
	FY 2009	FY 2010
Total number of complaints against regulated persons/educators	245	199
Total number of complaints against regulated local education agencies	n/a	n/a

160 – Legal/SBEC
Information on Complaints Against Regulated Persons or Entities
Fiscal Years 2009 and 2010

	FY 2009	FY 2010
Total number of jurisdictional complaints received from the public	n/a	n/a
Number of complaints pending from prior to 2009		242 (as of 6/28)
Number of complaints resolved/closed	291	182
Complaints resulting in disciplinary action:	232	163
administrative penalty		
Warning Letter, Restrictions and Administrative Denials	18	10
reprimand	51	42
probation	3	5
suspension	89	55
revocation	65	52
Other		
Administrative Closure (Not substantiated)	59	16

A. Guide to Agency Programs / Divisions	
Division Number:	190
Division Name:	Governance & General Inquiries
Division Director:	Ronald Rowell
Expenditures, FY10:	637,439
Number of FTEs (8/31/10):	8.00

B. What is the objective of this division? Please describe the major activities performed.

The Division of Governance and General Inquiry conducts investigations, and assists in resolving problems that show evidence of immediate or potential impact on student outcomes. Major functions include:

- Investigating school board complaints and assisting in resolving governance problems;
- Assigning monitors, conservators, and other intervention as needed;
- Responding to general information questions or complaints by telephone, email or written letter;
- Coordinating with the Ombuds Office the assigning of campus TAKS Tests monitors; and
- Submission of State Board of Education (SBOE) items for Trustee appointment for military and special-purpose districts (occurs 2-3 times per year when trustee terms expire)

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

The division is responsible for the placement of monitors, conservators, management teams and/or board of managers in ISDs and charter schools that have been identified in need of oversight. For this fiscal year there has been fifty plus ISDs and/or charter schools where intervention has been necessary and this type of oversight needed. This is a continuous process where placement of a monitor or conservator happens and daily dialogue with these intervention specialists occurs with this division. There are more than 7,500 phone call complaints and general inquiry telephone calls handled by the staff in this division in any given calendar year.

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

In 2003, HB 3459 established the expectation for agency monitoring of programs in school districts to ensure compliance with federal laws and regulations, financial accountability, data integrity under TEC Chapter 39. The need for agency intervention and placement of monitors, conservators, management teams has taken on a major responsibility for this division. Starting with the recruitment, the training, and finally the placement of the intervention specialist has played a major function in the change of services of this division. Presently there have been 200+ retired educator specialists across the state have been trained and available for placement. Another major function change is the responsibility of responding to emailed complaints or questions to the agency on general ed and/or school governance issues. This division is responding to an average of 2,500-3,000 per year of these emailed complaints.

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

In accordance with the mission of the Texas Education Agency (TEA), this division provides assistance to parents under Chapter 26 of the Texas Education Code (TEC) and to the community at large under various chapters of the TEC. These include the following: Chapter 25 concerning admission and enrollment issues of compulsory attendance; Chapter 11 and the authority of a school district to charge fees; Chapter 28 and the issuance of class credit and promotion/retention of a student; Chapter 37 and disciplinary complaints; and Section 504 disability issues. Every division in the TEA is impacted, formally or informally, by the diversion of hundreds of telephone calls, email, and letters of inquiry to this division for immediate response.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

The Governance and General Inquiries is under the Department of Accreditation and also the Program Monitoring & Interventions division. The staff is responsible for responding to school governance complaints and possible investigations, responding to the complaints of general inquiry nature whether it is by telephone, email, or the U.S. Postal Service, and Section 504 of the Rehabilitation Act of 1973. All correspondence must be responded to the complainant within a 10-day time period. Also the responsibility to recruit, train, and place monitors, conservators, management teams, and board of managers in either an ISD or charter school falls under the authority of staff in this division.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

190 Governance & General Inquiries

General Revenue	637,439
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190 Governance & General Inquiries Total	637,439
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H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

While many areas of the agency respond to constituent questions and requests, the Division of Governance and General Inquiries is the only unit of the agency designated as the primary point of contact for general education questions and concerns. Also, while the division coordinates with other agency divisions responsible for district oversight and sanctions, Governance and General Inquiries is uniquely responsible for recruiting, maintaining, and managing a pool of individuals who may be assigned to serve in monitor, conservator, management team, and /or board of manager's roles under TEC, Chapter 39.

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The Governance and General Inquiries division informs other divisions in attendance at the weekly held Monitoring, Investigation, and Interventions Steering Committee (MIISC) meeting about the status of districts and/or charters that have been assigned monitors, conservators, management teams, or board of managers.

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

The Governance and General Inquiries division routinely on a daily basis field telephone calls from ISD and charter school board members to discuss and respond to questions pertaining to state statute and agency rule on action that has been or will be considered by the board of trustees as a whole.

K. Contracted expenditures made through this Division.

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Not Applicable

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

The division under TEC §39.057 is authorized to conduct special accreditation investigations in response to allegation involving conflict between members of the board of trustees of between the board and the district administration if it appears that the conflict involves a violation of a role or duty of the board members or the administration clearly defined by this code. There are also, at times, coordinated investigations with other divisions operating under Chapter 39 authority and related program areas to promote improved performance and correction of noncompliance.

O. For each regulatory program, if applicable, please provide complaint information.

190 - Governance and General Inquiries – Discrimination Equal Educational Opportunity Information on Complaints Against Regulated Persons or Entities Fiscal Years 2009 and 2010		
	FY 2009	FY 2010
Total number of jurisdictional complaints received from the public	11	22
Number of complaints pending from prior to 2009	0	0
Number of complaints resolved/closed	11	22

A. Guide to Agency Programs / Divisions	
Division Number:	200
Division Name:	Standards and Programs
Associate Commissioner:	Anita Givens
Expenditures, FY10:	466,043
Number of FTEs (8/31/10):	5.00

B. What is the objective of this division? Please describe the major activities performed.

The Office of Standards and Programs provides leadership and support to four agency divisions that do the following: provide leadership to school districts, colleges, universities, regional ESCs, professional organizations, and individuals regarding preparing students for high school graduation and post-secondary college and career success; oversee the development and implementation of the Texas Essential Knowledge and Skills (TEKS); coordinate development and implementation of professional development initiatives related to the Texas Essential Knowledge and Skills; administer acquisition and distribution of state-approved instructional materials in various media and formats; and implement and support educational technology initiatives to prepare Texas public school students and educators for success in the 21st century. The Associate Commissioner for Standards and Programs oversees 4 divisions: Standards and Programs, Standards and Alignment, Curriculum, and Instructional Materials and Educational Technology.

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

Project Share began in May 2009 with 14,700 educator accounts and by May 2011 had over 325,000 educator and 20,000 student accounts. Over 40 professional development online courses are now available. See performance measures for Standards and Alignment (cc201), Curriculum (cc210), and instructional Materials and Educational Technology(cc211) for additional data.

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

This office was created during the agency reorganization in September 2003 and has been reconfigured several times. Curriculum, professional development, instructional materials and educational technology are core to the educational system. They are foundational requirements that have expanded and become more diverse over time. In 2009, this office was also given responsibility for developing and supporting a statewide portal for K-12 education known as Project Share. This office provides leadership and policy direction for the initiative as well as administers the enterprise license for the portal through the 20 regional education service centers and all districts and open-enrollment charter schools in the state. In addition, this office coordinates the development of policies, procedures, resources, training, support and tools for effective use of the components of Project Share for all educators and students in the public education system state-wide.

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

The Associate Commissioner for Standards and Programs oversees 4 divisions: Standards and Programs, Standards and Alignment, Curriculum, and Instructional Materials and Educational Technology. These divisions serve every school district and every public school student in the state of Texas. In addition, Education Service Centers are affected by the work of this division and staff at the Texas Higher Education Coordinating Board. The work of this office also affects agency staff members, State Board of Education members, legislative staff, school districts, other educational personnel across the state, students, and private citizens.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

The Standards and Programs office provides leadership and policy coordination for all four divisions and manages a wide variety of special projects for the department. The office includes two Special Projects Directors: one coordinates projects through primary partnerships with institutes of higher education and other education entities and the other coordinates projects through primary partnerships with Education Service Centers and school districts. All projects include collaboration and coordination with agency divisions and departments, professional organizations, the THECB, business and industry, and other state departments of education. This office also coordinates responses to members of the public, parents, educators, legislative staff and the media.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

200 Standards and Programs

Federal Funds	262,352
General Revenue	203,692

200 Standards and Programs Total	466,043
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H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

The agency currently has a total of 6 associate commissioner offices that provide leadership and supervision to their unique departments. In the Standards and Programs Department, the Associate Commissioner for Standards and Programs provides the vision, leadership, policy development and program implementation guidance for the department and serves on the agency leadership team. This position also provides leadership and oversight of the budget for the department and coordinates implementation of legislation related to department responsibilities. The Deputy Associate Commissioner for Standards and Alignment supervises two division directors, ensures alignment of programs across agency divisions with curriculum standards and coordinates the professional development initiatives for the department.

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency’s customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Regular coordination meetings are held within the department, with external partners, and across agency divisions to ensure coordination and collaboration of efforts and to leverage resources and expertise. The agency organizational structure assures that the departments are unique in their programs and functions and do not cause duplication of effort. Details of programs and functions are provided in individual division (cost center) submissions.

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

A statewide system of 20 regional education service centers (ESCs) assists school districts in improving student performance, in operating efficiently and effectively, and in carrying out the mandates of the Texas Legislature, Commissioner of Education, and State Board of Education. This office works very closely with ESCs on all matters related to department responsibilities.

The State Board of Education (SBOE), an elected 15-member board, oversees the public education system of Texas in accordance with the Texas Education Code. This office develops and presents materials to the SBOE for decisions, provides support, and coordinates activities related to the SBOE authority, including curriculum, graduation requirements, gifted and talented education, instructional materials and related law and rule.

The State Board for Educator Certification (SBEC), an appointed 11-member board, oversees all aspects of the preparation, certification, and standards of conduct of public school educators. This office provides support to the SBEC by providing content guidance related to SBEC authority, including teacher certification and assignment rules.

The U. S. Department of Education (USDE) is the agency of the federal government that establishes education policy and provides resources for most federal assistance to public education. The Elementary and Secondary Education Act (ESEA), also known as No Child Left Behind (NCLB) is the primary guiding legislation.

K. Contracted expenditures made through this Division.

Division Contracts Over 50k - FY10			
Division Number	Description	Contract Amount	Total Expenditures
200	COLLEGE READINESS STANDARDS	490,150.00	131,928.03

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Not Applicable

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

Not Applicable

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

A. Guide to Agency Programs / Divisions	
Division Number:	201
Division Name:	Standards and Alignment
Division Director:	Norma Torres-Martinez
Expenditures, FY10:	211,072
Number of FTEs (8/31/10):	3.00

B. What is the objective of this division? Please describe the major activities performed.

The Office of Standards and Alignment provides leadership, support, resources, and policy direction to school districts, charter schools, and other educational institutions in Texas regarding the foundation and enrichment curriculum standards, graduation requirements, the Long-Range Plan for Technology, and instructional materials and related projects and programs. The two divisions that carry-out this mission include Curriculum and Instructional Materials and Educational Technology. The office also coordinates with other agency divisions to ensure alignment of curriculum, professional development, special programs, instructional materials, and assessment.

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

Key statistics include:

- Number of teachers in attendance at face-to-face professional development sessions
- Number of teachers participating in online professional development through Project Share

In addition, this office oversees the divisions of Curriculum and Instructional Materials and Educational Technology, and as such, shares responsibility for several performance measures. For details, see separate responses from the divisions of Curriculum and Instructional Materials and Educational Technology.

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

This office was created during the agency reorganization in September 2003 and was designed to oversee divisions that impact student learning through internal and external coordination, leadership, and support. Instructional materials, professional development, and curriculum are core to the educational system. They are foundational requirements that have expanded and become more diverse over time.

One of the most critical functions the agency performs is the training of teachers in the classroom. While most districts provide extensive professional development at the local level, the state also contributes by providing teachers extensive support around the state's mandated curriculum and evidence-based instructional strategies in a variety of delivery options, including face-to-face and online teacher training in the major content areas. In 2009 the office of Standards and Alignment took on primary responsibility for state led professional development that currently includes opportunities in English language arts, mathematics, science, social studies, the English language proficiency standards (ELPS), career and

technical education (CTE), and support for end-of-course assessment success. These opportunities are designed not only to strengthen participants' content knowledge, but also to address the College and Career Readiness Standards and ELPS, the Response to Intervention model, and Gifted/Talented education. In the 2009-2010 school year, 47,002 teachers participated in professional development opportunities. From September 2010 through February 2011, 11,845 teachers participated in face-to-face professional development opportunities and an additional 1453 teachers participated online.

To sustain professional development efforts, the commissioner of education instituted Project Share, an initiative designed to provide a collection of digital tools to a community of educators dedicated to improving teaching and learning through interactive and engaging online environments. TEA purchased an enterprise license for a statewide digital platform designed and hosted by Epsilon LLC. The platform provides an online environment in which teachers can complete professional development courses, join professional learning communities, and access course content.

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

The Deputy Associate Commissioner for Standards and Alignment oversees 3 divisions: Standards and Alignment, Curriculum, and Instructional Materials and Educational Technology. These divisions serve 4.8 million students and 333,000 teachers in 1237 public school districts and open-enrollment charter schools in the state of Texas. In addition, Education Service Center personnel are affected by the work of this division as are career and college readiness staff at the Texas Higher Education Coordinating Board. The work of this office also affects agency staff members, State Board of Education members, legislative staff, teachers, other school district personnel, students, and parents.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

This department oversees two divisions. The directors of curriculum and Instructional Materials and Educational Technology (IMET) report directly to the Deputy Associate Commissioner for Standards and Alignment. In addition, this department coordinates with Education Service Centers in the development, dissemination, and support of state-level professional development in both face-to-face and online environments.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

201 Standards and Alignment

Federal Funds	79,153
General Revenue	131,919

201 Standards and Alignment Total 211,072

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

The agency currently has a total of 8 deputy associate commissioner offices that provide administrative leadership and supervision to their unique departments.

There is not another program that provides identical services or functions. The Department of Statewide Policy and Programs at TEA performs similar functions related to professional development and support for educators. The focus of the professional development for each of these two departments is different. For example, Standards and Alignment focuses on content support for teaching the Texas Essential Knowledge and Skills and the department of Statewide Policy and Programs focuses on dropout prevention and specific initiatives related to college and career readiness.

The Division of Educator Standards and Certification also performs similar functions related to educator preparation and certification. While educator standards and certification staff have primary responsibility for teacher certification, standards and alignment staff provide content knowledge and guidance regarding certification examinations and teacher qualifications.

The Texas Higher Education Coordinating Board (THECB) performs similar functions related to college readiness. However, the THECB does not provide professional development to K-12 educators.

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The Office of Standards and Alignment communicates with the Department of Statewide Policy and Programs on a regular basis to coordinate efforts on related projects. Leadership from the Office of Standards and Alignment and the Division of Educator Standards and Certification hold regularly scheduled meetings to coordinate activities and staff members from the two offices communicate with one another as issues arise.

The Office of Standards and Alignment participates in quarterly meetings with the THECB to coordinate efforts and avoid duplication of efforts.

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

A statewide system of 20 regional education service centers (ESCs) assists school districts in improving student performance, in operating efficiently and effectively, and in carrying out the mandates of the Texas Legislature, Commissioner of Education, and State Board of Education. This office works very closely with ESCs to develop and disseminate professional development.

The State Board of Education (SBOE), an elected 15-member board, oversees the public education system of Texas in accordance with the Texas Education Code. This office provides support to the SBOE by responding to requests from board members, and attending and monitoring meetings.

The State Board for Educator Certification (SBEC), an appointed 11-member board, oversees all aspects of the preparation, certification, and standards of conduct of public school educators. This office

provides support to the SBEC by providing content guidance regarding various SBEC items, and attending and monitoring meetings.

K. Contracted expenditures made through this Division.

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Not Applicable

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

Not Applicable

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

A. Guide to Agency Programs / Divisions	
Division Number:	210
Division Name:	Curriculum
Division Director:	Monica G. Martinez
Expenditures, FY10:	3,382,743
Number of FTEs (8/31/10):	35.52

B. What is the objective of this division? Please describe the major activities performed.

The Curriculum Division provides state level support, information and non-regulatory guidance to school administrators, teachers, counselors, parents, and students regarding general curriculum laws and rules, particularly with respect to graduation requirements, options for offering courses, and award of credit. The division is responsible for supporting development and implementation of the Texas Essential Knowledge and Skills (TEKS) in the foundation curriculum (English language arts, mathematics, science, and social studies) and the enrichment curriculum (career and technical education, health, physical education, fine arts, languages other than English, and technology applications). The Curriculum Division also provides state level program leadership in the areas of Bilingual education and English as a Second Language (ESL) for English language learners; Career and Technical Education (CTE); and advanced academics including Advanced Placement (AP)/International Baccalaureate (IB) incentive programs and Gifted/Talented education.

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

LBB Performance Measures include:

- EX 1.1.1.9 Number of Students Served by Bilingual Ed / ESL Programs
- OC 1.2.12 Percent of Students Exiting Bilingual / ESL Programs Successfully
- OC 1.2.18 Percent of Students That Meet the Passing Standard in Third Grade Reading
- OC 1.2.19 Percent of Students That Meet the Passing Standard in Fifth Grade Reading
- OC 1.2.20 Percent of Students That Meet the Passing Standard in Fifth Grade Math
- OC 1.2.21 Percent of Students That Meet the Passing Standard in Eighth Grade Reading
- OC 1.2.22 Percent of Students That Meet the Passing Standard in Eighth Grade Math
- OP 1.2.1.6 Number of Students Served in Summer School Programs for Limited English-Proficient Students
- EX 1.1.1.10 Number of Students Served by Gifted and Talented Programs
- OC 1.2.9 Percent Eligible Students Taking AP/IB Exams
- OC 1.2.10 Percent of AP/IB Exams Qualifying for Potential College Credit or Advanced Placement
- OC 1.2.1 Percent of Students Graduating under the Distinguished Achievement High School Program
- OC 1.2.2 Percent of Students Graduating under the Recommended HS Program
- EX 1.1.1.8 Number of Students Served by Career and Technical Education Courses (TWIC* measure also)
- OC 1.2.11 Percent of Career and Technical Students Placed on the Job or in a Postsecondary Program (TWIC* measure also)
- OC 1.2.31 Career and Technical Education (CTE) Graduation Rates
- OC 1.2.32 Percent of Students Achieving a Degree or Credential through Completion of a Secondary Career and Technical Education Program (TWIC measure also)

OC 1.2.33 Career and Technical Education (CTE) Technical Skill Attainment
OP 1.2.1.5 Number of Students in Tech Prep Programs (TWIC measure also)

TWIC* Measure not included as an LBB measure:

Percent of CTE concentrators (Code 2 and 3 CTE participants) who graduate on the recommended or distinguished HS program

USDE/OVAE Perkins core indicators include:

1S1: ACADEMIC ATTAINMENT – READING/LANGUAGE ARTS
1S2: ACADEMIC ATTAINMENT – MATHEMATICS
2S1: TECHNICAL SKILL ATTAINMENT
3S1: SECONDARY SCHOOL COMPLETION
4S1: STUDENT GRADUATION RATES
5S1: SECONDARY PLACEMENT
6S1: NONTRADITIONAL PARTICIPATION
6S2: NONTRADITIONAL COMPLETION

**TWIC is the Texas Workforce Investment Council*

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

In the early 1960s, TEA added curriculum specialists to the Curriculum Program Development Division to provide subject specific leadership and assistance to schools. The first state curriculum adopted by the SBOE in 1984, the essential elements, provided guidance to teachers in the core and enrichment subject areas. In 1997, the more rigorous Texas Essential Knowledge and Skills (TEKS) were adopted. Unlike the essential elements that were standards for teachers, the TEKS are standards for what students should know and be able to do in each subject at the completion of each grade level. The division continues to include staff with content expertise who can provide statewide guidance regarding the TEKS. The State Board of Education implemented a review and revision cycle for all of the TEKS. The TEKS for mathematics, English language arts/reading, science, CTE, social studies, and technology applications have all been revised since originally adopted in 1997. Other content areas are scheduled for revision in future years.

In 2006, the 79th Texas Legislature (3rd Called Session) passed House Bill (HB) 1, a portion of which became Section 28.008 of the Texas Education Code (TEC) under the title, "Advancement of College Readiness in Curriculum." This legislation required that the Texas Education Agency (TEA) and the Texas Higher Education Coordinating Board (THECB) work collaboratively toward the creation of college and career readiness standards (CCRS). The CCRS reflect what students should know and be able to demonstrate in order to be successful in entry-level college courses. The statute required the formation of vertical teams (VTs) comprised of secondary and postsecondary faculty from four subject-specific content areas: English language arts, mathematics, science, and social studies. The THECB adopted the college readiness standards in January 2008. The commissioner of education approved the college readiness standards, and the SBOE incorporated the CCRS into the English language arts and reading TEKS (2008), the mathematics TEKS (2009), the science TEKS (2009), and the social studies TEKS (2010).

In 2006, the 79th Texas Legislature (3rd Called Session) added requirements for four credits in mathematics and four credits in science to the graduation requirements under the Recommended High

School Program (RHSP) and Distinguished Achievement High School Program (DAP) (TEC §28.025). In 2009, the 81st Texas Legislature passed HB 3, changing the graduation requirements to increase flexibility for students in course selection by decreasing the number of specific course requirements and increasing the number of available elective credits. The SBOE is no longer permitted to designate a specific course or a specific number of credits in the enrichment curriculum as a requirement for the RHSP, except as explicitly allowed in statute. The SBOE may still designate a specific course or a specific number of credits in the enrichment curriculum as a requirement for the Minimum High School Program (MHSP) and the DAP. Specific revisions to the graduation requirements that became effective starting with the 2010-11 school year include the following:

- Students on all three graduation programs are no longer required to complete one-half credit in health or one credit in technology applications and are only required to complete one credit in physical education. School districts retain the authority to add requirements beyond what is required in state law and rule for graduation.
- Certain Career and Technical Education (CTE) courses have been added to the list of courses that may satisfy various graduation requirements.
- Beginning with students who enter Grade 9 in 2010-11, students on the MHSP must complete one fine arts credit.
- On the RHSP and DAP, three of the required science credits must consist of a biology credit, a chemistry credit, and a physics credit. The fourth science credit may be selected from the list of state-approved, laboratory-based courses.
- Students may earn credit for any of the TEKS-based P.E. courses through participation in athletics, Junior Reserve Officer Training Corps (JROTC), or appropriate private or commercially-sponsored physical activity programs conducted on or off campus for up to four credits toward graduation. For a student to earn credit for one of these activities, the activity must include at least 100 minutes per five-day school week of moderate to vigorous physical activity.
- Students may earn up to one credit for any of the TEKS-based P.E. courses through participation in Drill Team, Marching Band, or Cheerleading. For a student to earn credit for one of these activities, the activity must include at least 100 minutes per five-day school week of moderate to vigorous physical activity.
- A student who is unable to comply with all of the requirements for a physical education course due to a physical limitation certified by a licensed medical practitioner may still earn an RHSP or a DAP diploma if the student demonstrates proficiency in the relevant knowledge and skills that do not require physical activity as part of a modified physical education course.

The former Career and Technology Education that included 6 program areas is now called career and technical education (CTE) and is organized into 16 career clusters and 81 career pathways endorsed by the U.S. Department of Education. These broad clusters support the Governor's Industry Cluster Initiative, which targets high-growth, high-paying jobs for the 21st century Texas economy. Strategic goals for CTE support high school redesign to effectively prepare every student for college and career success. More than one million students choose to enroll in CTE courses each year to explore and prepare for careers of personal interest.

The 80th Texas Legislature, 2007, passed HB 3485, adding TEC §28.0022, and requiring the agency to establish a panel to review and make recommendations to the SBOE, as necessary, to increase the academic rigor of the CTE curriculum. As a result, approximately 190 courses were adopted by the SBOE in July 2009 to be implemented by school districts beginning with the 2010-11 school year. These new courses also incorporated the CCRS.

The number of English language learners (ELLs) continues to increase at a rapid pace in Texas. In the 1981-1982 school year the ELL population was 198,872; in the 2009-2010 school year, 778,806 students were identified as ELL. There continues to be a need for a bilingual/ESL education program in Texas due to the constant influx of ELL students coming into the state every year. In November 2007, the SBOE adopted the English language proficiency standards (ELPS) as part of the required curriculum. The ELPS include English language proficiency level descriptors and cross-curricular standards for what students should know and be able to do as they acquire the English language. These standards are integrated with each subject in the required curriculum.

In September 2009, the SBOE adopted an updated *Texas State Plan for the Education of Gifted/Talented Students*. The updates ensure that the state plan continues to be in alignment with the Texas Education Code. Professional development for all content area TEKS includes strategies for differentiating instruction to meet the needs of all learners.

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

The curriculum division affects approximately 4.8 million students and 333,000 teachers in 1237 public school districts and open-enrollment charter schools in the state of Texas including significant impact on approximately 367,000 gifted/talented students; 1,025,940 career and technical education (CTE) students; and 778,806 English language learners and their parents. The division affects parents of public and private school students and teachers and administrators in all public school districts and open-enrollment charter schools in the state. The work of this division also affects postsecondary institutions, the Texas Higher Education Coordinating Board, the Texas Workforce Investment Council, and the Texas Workforce Commission. The division affects the State Board of Education that is responsible for the state standards in grades K-12 and graduation requirements.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

The division is organized into four units.

- The foundation curriculum unit includes English language arts/reading, math, science, and social studies. The unit is responsible for providing leadership in the implementation of, professional development in, and maintenance of the TEKS for these subject areas including dissemination of information. The unit provides curriculum content guidance by participating in the development process for all state assessments. The unit also provides curriculum content guidance for teacher certification standards and content examinations, and for adoption of instructional materials.
- The enrichment curriculum unit includes fine arts, health education, languages other than English, physical education, technology applications, and bilingual/ESL education. The unit is responsible for providing leadership in the implementation of, professional development in, and maintenance of the TEKS for these subject areas and the English language proficiency standards including dissemination of information. The unit also provides curriculum content guidance for teacher certification standards and content examinations, and for adoption of instructional

materials. The unit provides leadership in the implementation of bilingual/ESL education programs.

- The career and technical education unit is responsible for providing leadership in the implementation of, professional development in, and maintenance of the career and technical education TEKS including dissemination of information. This unit is responsible for managing the federal Perkins budget, including providing leadership in the determination of appropriate uses of discretionary funds and ensuring all grantees complete reporting requirements accurately and on time.

The academic standards and services unit is responsible for gifted/talented (G/T) education, AP/IB incentives, and general curriculum support. This unit provides leadership in the implementation of the G/T program including dissemination of information and provides leadership in the implementation of, professional development concerning, and compliance with the Texas State Plan for Education of G/T Students. This unit provides oversight for preparation of State Board of Education and Commissioner of Education administrative rule item packets related to curriculum standards, programs, and graduation requirements. The unit also provides leadership and oversight by planning, implementing, and monitoring the review of TEKS including coordination of statewide meetings and provides oversight and coordination for maintenance of the graduation requirements.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

210 Curriculum

Federal Funds	1,018,433
General Revenue	2,364,310
210 Curriculum Total	3,382,743

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

There is not another program that provides identical services or functions. However, the division of NCLB Program Coordination at TEA performs similar functions in serving English language learners (ELLs). The difference in the functions is that the curriculum division focuses on state requirements for serving ELLs and NCLB program coordination focuses on federal requirements for serving this student population. The department of Statewide Policy and Programs at TEA performs similar functions related to health education and career and college readiness. The department of Statewide Policy and Programs has a primary focus on specific programs in these two areas, while the curriculum division is focused more on providing support and guidance for adhering to state law and rule related to these two areas.

The Texas Higher Education Coordinating Board (THECB) performs similar functions related to career and college readiness and specifically related to career and technical education (CTE) as a partner with TEA in implementation of the federal Carl D. Perkins Act. The functions are similar in that both entities provide resources to educators to support college and/or career attainment. The functions are different in that the focus of the curriculum division is on secondary students and the focus of the THECB is on students at the postsecondary level. There is also a shared responsibility between the two agencies in the implementation of dual credit with TEA focusing on the aspects related to graduation requirements and the THECB focusing on the aspects related to college credit hours.

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The agency has a number of internal working groups that enable staff from different divisions to coordinate efforts. Internal working groups include a group focused on serving ELLs. Additionally, the division regularly meets with the department of Statewide Policy and Programs to coordinate activities related to health education and career and college readiness.

Curriculum division staff members regularly meet with THECB staff and complete joint reports to the USDE/OVAE to ensure coordination of activities and eliminate duplication of efforts regarding CTE. The division has collaborated with the THECB on combined frequently asked questions documents that are posted on both agencies' websites to ensure consistent responses to questions regarding dual credit.

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

The federal Office of Vocational and Adult Education (OVAE) administers and coordinates programs that are related to adult education and literacy, career and technical education, and community colleges and provides the division with guidance regarding implementation of the Carl D. Perkins career and technical education program.

The U.S. Department of Education (USDE) is the agency of the federal government that establishes policy for, administers, and coordinates most federal assistance to education and provides the division with funding and guidance for implementation of the Advanced Placement/International Baccalaureate Test Fee subsidy program.

The State Board of Education (SBOE), an elected 15-member board, oversees the public education system of Texas in accordance with the Texas Education Code. The division provides support to the SBOE by preparing materials for meetings, responding to requests from board members, attending and monitoring meetings, and completing meeting minutes.

A statewide system of 20 regional education service centers (ESCs) assists school districts in improving student performance, in operating efficiently and effectively, and in carrying out the mandates of the Texas Legislature, Commissioner of Education, and State Board of Education. The division works with ESCs to assist districts in understanding curriculum and graduation requirements and in implementation of the Texas Essential Knowledge and Skills.

K. Contracted expenditures made through this Division.

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Statute currently refers to career and technology education. The federal Carl D. Perkins Career and Technical Education Improvement Act of 2006 changed the name of the program from Career and *Technology* Education to Career and *Technical* Education (CTE). The Texas Administrative Code also uses the term career and technical education. A change in statute to reference career and technical education rather than career and technology education would result in the consistent use of

terminology and help alleviate confusion regarding this program.

Statute currently refers to Limited English Proficient (LEP) students. The term English language learner (ELL) is more widely used at this point in time and is used in the Texas Administrative Code. A change in statute to reference English language learners rather than limited English proficient students would result in the more consistent and current use of terminology.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

Not Applicable

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

A. Guide to Agency Programs / Divisions	
Division Number:	211
Division Name:	Instructional Materials and Educational Technology
Division Director:	John Lopez
Expenditures, FY10:	3,320,928
Number of FTEs (8/31/10):	30.54

B. What is the objective of this division? Please describe the major activities performed.

The Instructional Materials and Educational Technology Division is responsible for coordinating the review, adoption, purchase and distribution of instructional materials to all Texas public schools and open-enrollment charter schools. This includes the Commissioner’s list of Electronic Textbooks and Open Source Textbooks. The division contracts for the production of Braille, large type, and audio textbooks for students in need of assistive instructional materials. The division also provides leadership for the integration, utilization, evaluation and expansion of educational technologies throughout the on-going implementation of the State Board of Education’s *Long-Range Plan for Technology 2006-2020*. This includes integration of technology across all content areas in grades K-12, Technology Applications, Technology Grant Programs, Texas Virtual School Network Supplemental and Full-Time programs, Technology Demonstration Sites, Project Share, Texas Education at iTunes U, and Technology Planning and E-Rate program assistance.

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

LBB Performance Measures for Educational Technology:

- Percent of campuses that are rated Developing Tech or above on the Texas STaR Chart for Teaching and Learning with technology. This measure tracks the level of technology proficiency for teachers and administrators.
- The number of course completions through the Texas Virtual School Network.
- The number of district technology plans with an approved certification. This measure provides actual number of plans submitted through the online Texas ePlan system that have been approved. Districts must have an approved technology plan to be eligible to receive federal technology funds under NCLB Title II, Part D, and for the E-Rate Telecommunications discount program.
- The percent of campuses rated Advanced Tech or above on the Campus STaR Chart for student-to-computer ratio. This measure provides an indicator to determine progress in reaching a 1:1 student-to-computer ratio.

**Note: In addition to the Agency performance measures, the division tracks the E-Rate allocations to each district on a yearly basis.*

Performance Measures for Instructional Materials

- The proportion of materials purchased in an electronic format. This measure calculates the percent of newly adopted electronic materials to determine how districts are utilizing digital instructional materials.
- The amount of textbook funds expended on digital content.

- The number of textbooks and digital content purchased from the Conforming and Non-Conforming Lists.

Federal Reporting Requirements for No Child Left Behind, Title II, Part D

- The number of unduplicated 8th graders evaluated for technology literacy under the district’s methodology at the end of the 8th grade.
- The number of unduplicated number of computers available to students for instruction by Internet access type: no connectivity; dial up; or high speed.
- The number of unduplicated school personnel achieving acceptable performance on standards-based performance profiles of technology user skills by staff categories: teachers, librarians, library media specialists and campus administrators.

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

The divisions of Instructional Materials and Educational Technology were merged into one division in 2005 to provide assistance to Education Service Centers, districts and educational organizations with emerging technology and digital content. The division has been reconfigured several times to align with the updates to the Long-Range Plan for Technology and changes in state and federal legislation. Administration of the Texas Virtual School Network was added to the division’s responsibilities in 2007.

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

The division of Instructional Materials and Educational Technology has a state-wide impact on 1,237 districts and open-enrollment charter schools, 4,824,778 students and 333,007 teachers. In addition to the direct impact on districts, students and teachers, the division impacts Educational Service Centers, vendors, publishers and professional organizations. The State Board of Education is affected by the actions of this division as defined by statute and rule to implement programs and initiatives related to instructional materials and educational technology. The division provides training and assistance to districts and Education Service Centers to ensure that all instructional materials are requisitioned and delivered in a timely manner. This includes the production of Braille and Large Type instructional materials for students with special needs. In addition to instructional materials, the division provides guidance to all administrators and teachers in the state to increase student achievement through the use of technology. Education Service Centers and districts are provided with training and support for technology planning to ensure compliance with state and federal requirements. The division oversees the administration of the Texas Virtual School Network (TxVSN). The network provides an opportunity to for students to enroll and complete online courses for advancement, dual credit, credit recovery and AP courses. Districts are provided with training and resources to support students’ successful completion of online courses. The division administers contracts with business and industry for instructional materials and a variety of educational technology products and services.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

The division is divided into three units:

The Distribution, Accessibility and Finance unit manages the EMAT (Educational Materials) online ordering system for instructional materials and provides on-going assistance to districts and open-enrollment charter schools for the acquisition and delivery of adopted instructional materials. Staff provides training and support for the EMAT system to district textbook coordinators. This unit is also responsible for contracting with entities for the production and delivery of Braille, Large Type and audio tapes of alternative instructional materials for students with special needs. Payment of invoices related to the production and delivery of instructional materials are provided in a timely manner.

The Review and Adoption unit is responsible for the review and adoption of instructional materials in both print and electronic format. Review content experts are solicited and trained for the review of instructional materials that are requested through the State Board of Education (SBOE) or the Commissioner of Education. This process includes the development and approval of requests for instructional materials, coordination of many different levels of review to ensure alignment with the Texas Essential Knowledge and Skills (TEKS), and adoption by the SBOE and/or Commissioner of Education. The unit is also responsible for ensuring that any errors in the materials have been corrected before materials are distributed to classrooms.

The Educational Technology unit is divided into three sections – Technology Applications, Distance Learning and Special Projects for technology initiatives at the state and federal level. The unit provides guidance and support for the Technology Applications TEKS through best practices and resources. In addition, staff is responsible for the administration and support of the Texas Virtual School Network. The network coordinates student registration and the course review process to ensure TEKS alignment also provides training, support and awareness at the district level to ensure successful completion of online courses. This unit is also responsible for the administration and support of technology programs and initiatives related to the integration of technology into the curriculum at the state and local level.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

211 Instructional Materials & Ed Technology

Federal Funds	1,863,341
General Revenue	1,457,586

211 Instructional Materials & Ed Technology Total **3,320,928**

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

Not Applicable

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency’s customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Not Applicable

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

Districts, Open-Enrollment charter schools and Education Service Centers - The division provides training and support for the acquisition and delivery of instructional materials Training, support and resources are also provided for the successful implementation of educational technology programs and initiatives.

United States Department of Education (USDOE) - The division provides consultation, guidance and support for the implementation of the NCLB, Title II, Part D program requirements. The division also provides consultation, guidance and support to ensure adherence of Individuals with Disabilities Education Act (IDEA) program requirements for Braille, Large Type and audio files provided to students with special needs.

Federal Communications Commission (FCC) - Federal E-Rate guidance and assistance is provided to ensure districts and open-enrollment charter schools receive funding for telecommunication services.

National Instructional Materials Access Center (NIMAC) - The division coordinates the publisher requirements for submitting the National Instructional Materials Accessibility Standard (NIMAS) computer files for all instructional materials adopted by the State Board of Education.

K. Contracted expenditures made through this Division.

Division Contracts Over 50k - FY10			
Division Number	Description	Contract Amount	Total Expenditures
211	FREIGHT HANDLING SERVICES	6,000,000.00	1,733,108.53
211	TEXTBOOK REDISTRIBUTION	1,261,126.00	212,452.93
211	TX STATE LIBRARY - ONLINE RESEARCH SERVICES	5,000,000.00	2,500,000.00
211	FREIGHT HANDLING SERVICES	2,720,991.92	361,034.78
211	FREIGHT HANDLING SERVICES	800,000.00	69,032.05
211	TIBH TEMP CONTRACT	5,000,000.00	122,076.00

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Not Applicable

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

Not Applicable

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

A. Guide to Agency Programs / Divisions	
Division Number:	212
Division Name:	Student Assessment
Division Director:	Gloria Zyskowski
Expenditures, FY10:	8,388,987
Number of FTEs (8/31/10):	110.27

B. What is the objective of this division? Please describe the major activities performed.

The Student Assessment Division manages and oversees the development, administration, scoring, analysis, and reporting of the statewide assessments of student achievement required by the Texas Education Code (TEC), Chapter 39, Subchapter B.

The goal of the Texas Student Assessment Program is to provide all eligible Texas students an appropriate statewide assessment that measures and supports their achievement of the essential knowledge and skills of the state-mandated curriculum, the Texas Essential Knowledge and Skills (TEKS). The primary purpose of the assessment program is to provide an accurate measure of student achievement in reading, writing, mathematics, science, and social studies. Test performance results are also used as a gauge for school district and campus accountability.

The student assessment program for the 2010–2011 school year includes the following assessments: the Texas Assessment of Knowledge and Skills (TAKS), including TAKS (Accommodated); TAKS–Modified (TAKS–M); TAKS–Alternate (TAKS–Alt); and the Texas English Language Proficiency Assessment System (TELPAS). Beginning in 2011-2012, TEA will implement the State of Texas Assessments of Academic Readiness (STAAR) program, which will introduce new assessments in grades 3-8 and end-of-course (EOC) assessments in 12 high school subjects. (For more information, please see Section D.)

The division also coordinates assessment projects required by state and federal statute and State Board of Education action.

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

Student performance on every TAKS assessment at every grade has improved significantly since the implementation of the TAKS program in 2003. This substantial improvement occurred even as the passing requirements increased over the life of the testing program and as results on TAKS (Accommodated), a test given to some special education students, were included in the calculations in later years.

The following data illustrate some of the improvement demonstrated from 2003 to 2011 in the high school, middle school, and elementary grades:

- Ninety-two percent of the students in the Class of 2011 have passed all four exit level exams, compared to an 89 percent passing rate for the Class of 2005, which was the first class required to pass exit level TAKS tests to graduate.

- In 2011, 95 percent of high school juniors passed the exit level English language arts test, and 90 percent of juniors passed the exit level mathematics test, compared to 61 percent and 44 percent, respectively, in 2003.
- Eighth-grade mathematics passing rates improved to 80 percent in 2011, up from 51 percent in 2003, and passing rates for reading rose from 77 percent to 89 percent over the nine years.
- Passing rates on the fifth-grade science test showed huge gains rising to 87 percent in 2011, compared to 39 percent when the test was first administered in 2003.

Summaries of the statewide results from 2003 to 2011 are available at the following web page:
<http://www.tea.state.tx.us/student.assessment/taks/rpt/sum/>.

Performance measures that TEA will report to the Legislative Budget Board under the STAAR program include the following:

- (KEY) 1. Percent of All Students Passing All Tests Taken
- (KEY) 2. Percent of African-American Students Passing All Tests Taken
- (KEY) 3. Percent of Hispanic Students Passing All Tests Taken
- (KEY) 4. Percent of White Students Passing All Tests Taken
- (KEY) 5. Percent of Asian-American Students Passing All Tests Taken
- (KEY) 6. Percent of Native American Students Passing All Tests Taken
- (KEY) 7. Percent of Economically Disadvantaged Students Passing All Tests Taken
8. Percent of Native Hawaiian or Pacific Islander Students Passing All Tests Taken
9. Percent of Grades 3 through 8 Students Passing STAAR Reading
10. Percent of Grades 3 through 8 Students Passing STAAR Mathematics

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

In 1979 Texas instituted a statewide testing program that, through periodic changes in legislation and policy, has grown in size, scope, and rigor. Key dates and events in the evolution of the primary statewide assessment program are listed below:

- 1980–1990: Texas assessed minimum skills in reading, mathematics, and writing with the Texas Assessment of Basic Skills (TABS) tests (1980–1985) and with the Texas Educational Assessment of Minimum Skills (TEAMS) tests (1986–1990). TEAMS was the first statewide assessment that students were required to pass as a graduation requirement.
- 1990–2002: Texas implemented the Texas Assessment of Academic Skills (TAAS), shifting the focus of assessment from minimum skills to academic skills. By the end of the TAAS program, students were assessed in reading, mathematics, writing, science, and social studies. Students were required to pass exit level tests in reading, writing, and mathematics as a requirement for graduation.
- 2003–2011: TAKS replaced TAAS as the primary statewide assessment program. TAKS is more comprehensive and measures more of the TEKS, at more grade levels than TAAS did. Under TAKS, students must pass exit level tests in English language arts, mathematics, science, and social studies as a requirement for graduation.
- 2012 and beyond: TEA will implement the new STAAR program beginning in the 2011-2012 school year. Under STAAR, students in grades 3–8 will be assessed in the same subjects as under TAKS, although the assessments will be more rigorous and vertically aligned in English language arts/reading and mathematics. The high school testing program under STAAR will shift from TAKS to a series of EOC assessments in the following subjects: Algebra I, Algebra II, geometry,

biology, chemistry, physics, English I, English II, English III, world geography, world history, and U.S. history.

A detailed history of assessment in Texas, including information on assessments for English language learners and students receiving special education services, is available at the following web page:

<http://www.tea.state.tx.us/WorkArea/linkit.aspx?LinkIdentifier=id&ItemID=2147500608&libID=2147500603>

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

The division collects and provides assessment information to individual students, school districts and campuses, the State Board of Education, the Texas Legislature, the Governor, and the general public. The student performance results are used for evaluating and reporting campus and district achievement as an integral part of the accountability system and for other agency systems and reports (e.g., Texas P-16 Public Education Information Resource, Academic Excellence Indicator System, Performance-Based Monitoring). In addition, the data collected and the reports generated by the division are used statewide, regionally, and locally to develop and implement compensatory instructional services for students.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

The Student Assessment Division is organized as follows into several teams under the supervision of the Deputy Associate Commissioner for Student Assessment:

- STAAR Assessments – responsible for item development and construction of subject-area tests, school district staff training, and the production of test administration materials;
- Special Education Assessments – responsible for TAKS (Accommodated), TAKS-Modified, TAKS-Alternate, and school district special education staff training;
- English Language Learner (ELL) Assessments – responsible for TELPAS, linguistically accommodated testing (LAT), Spanish versions of assessments, and school district ELL staff training;
- Analysis, Reporting, and Test Administration – responsible for the analysis and reporting of test results, responding to requests for assessment data and program information, test security, and online testing.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

212 Student Assessment

Federal Funds	1,216,714
General Revenue	7,172,273
212 Student Assessment Total	8,388,987

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

Pearson is TEA's primary contractor for the provision of support services to the statewide assessment program. Under the oversight of the Student Assessment Division, Pearson and its subcontractors perform assessment-related functions that require specialized expertise. These include test development, test materials production, psychometric services, and scoring/reporting of test results.

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Not Applicable

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

The Student Assessment Division works closely with Texas independent school districts and charter schools to ensure that testing materials are handled and administered securely and in accordance with state testing policy and law. District personnel are required to report testing irregularities to the division, including incidents that may affect the confidentiality or integrity of the assessment program. In addition, school districts are responsible under state and federal law for the confidential reporting to the appropriate parties of student test results provided by the agency.

The Student Assessment Division also works with the U.S. Department of Education (USDE) to ensure that changes in the state testing program meet assessment and accountability requirements under the federal No Child Left Behind Act (NCLB). For example, in 2009 TEA received approval from the USDE for its assessment system for eligible students served by special education based on modified and alternate achievement standards. That same year, the USDE approved the use of the Texas Projection Measure (TPM) in calculations of Adequate Yearly Progress (AYP).

K. Contracted expenditures made through this Division.

Division Contracts Over 50k - FY10			
Division Number	Description	Contract Amount	Total Expenditures
212	STUDENT ASSESSMENT PGR	391,641,811.00	75,388,405.00
212	END OF COURSE	13,487,295.00	9,695,542.00
212	PERSONALIZED STUDY GUIDES	5,301,201.00	4,463,612.00
212	TIBH TEMP CONTRACT	5,000,000.00	1,331.46

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Change language in statute that allows students to retest on the EOC assessments for any reason and limit this to students who do not meet the passing standard (TEC, §39.025(b)).
Eliminate the word "full" from the statute that limits when EOC assessments can be administered (TEC, §39.023(c-3)(2)).

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Additional information about the student assessment program can be found in the following documents posted to the Student Assessment website:

- HB 3 transition plan (<http://www.tea.state.tx.us/student.assessment/hb3plan/>)
- 2010 Technical Digest (<http://www.tea.state.tx.us/student.assessment/techdigest/yr0910/>)
- District and Campus Coordinator Manual (<http://www.tea.state.tx.us/student.assessment/manuals/dccm/>)

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

Not Applicable

O. For each regulatory program, if applicable, please provide complaint information.

212 - Student Assessment Division Testing Irregularity Reports by School Districts to the Texas Education Agency* Fiscal Years 2009 and 2010		
	FY 2009	FY 2010
Total number of incident reports received for local education agencies	5137	4631
Number of incident reports resolved/closed	5117	4268
Incidents referred to legal services	15	13

*Testing irregularities reported above are test administration incidents required to be reported by school districts to the Texas Education Agency. The majority of irregularities reported are procedural errors that do not compromise test integrity.

A. Guide to Agency Programs / Divisions	
Division Number:	251
Division Name:	School Readiness and Partnerships
Division Director:	Gina S. Day
Expenditures, FY10:	892,767
Number of FTEs (8/31/10):	8.70

B. What is the objective of this division? Please describe the major activities performed.

The division of School Readiness and Partnerships (SRP) provides administrative leadership in: 1) Early Childhood Education; 2) Student Discipline and Law and Order; 3) Out-of-School Time Education, including after school and summer school; 4) Educator Quality, including strategic compensation and mentoring; and 5) Student Health and Safety programs to implement research driven best practices designed to prevent academic underachievement of at-risk and diverse populations of students. In addition, the SRP division endeavors to identify state and local partners with similar missions and constituencies to maximize and sustain state and federally funded activities.

1) Early Childhood Initiatives: The agency provides leadership in certifying statewide early childhood education quality through the School Readiness Certification System (SRCS) and intervention strategies for struggling early childhood communities with the Texas School Ready! program. The mission of this unit is to implement programs that will enable every student to have a successful early start to school by performing on grade level by the time they begin kindergarten.

2) Student Discipline and Law and Order: This unit of the SRP division provides technical assistance to agency staff, parents, students, public and private agencies, and others regarding Chapter 37 of the Texas Education Code (TEC). This unit guides districts on establishing local policy in addressing disciplinary issues and enforcing standards for Discipline Alternative Education Programs (DAEPs) and Juvenile Justice Alternative Education Programs (JJAEPs). Staff in the unit serves as a resource to schools in the implementation of positive and proactive discipline management strategies and in recording PEIMS 425 records data relating to disciplinary actions as required by TEC Chapter 37. Additionally the unit works with the Texas Juvenile Probation Commission, Texas Youth Commission, the Texas State Safety Center, and other agencies on issues affecting school safety and discipline issues.

3) Texas 21st Century Community Learning Centers (21st CCLC): The Out-of-School-Time unit uses federal resources to enhance local reform efforts through the 21st CCLC program by assisting students in meeting academic standards in core subjects (math, reading, science, social studies). These programs operate by providing out-of-school time services, including before and after school and summer school programs to low income students and their families.

4) Educator Quality: The staff of the Educator Quality unit provides management oversight for policy development of issues related to educator recruitment, preparation, professional development, and overall educator quality. Educator Quality also provides statewide guidance on assessing teacher and principal quality and effectiveness, increasing the number of highly qualified teachers in the classroom and highly qualified principals and assistant principals in schools, and reducing educator turnover and teacher shortages in hard to staff subject areas and schools.

5) Student Health and Safety: The Health and Safety unit provides administrative leadership, policy development, and implementation for state and federal requirements and programs whose emphasis is on achieving a safe and healthy lifestyle for every student. Staff provides technical assistance for health and physical education activities and health, nutrition and counseling and psychological services, including bullying prevention, healthy school environments, and family and community health, physical fitness and nutrition services.

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

The SRP division uses a variety of effectiveness measurement strategies including Legislative Budget Board (LBB) performance measures. Data for these summative measures is collected from program specific systems such as the School Readiness Certification System (SRCS), the 21st CCLC After School Centers on Education (ACE) data collection system, PEIMS 425 disciplinary reporting data, FitnessGram, the School Health Survey, and grant progress reports, among others. Other measures of effectiveness include independent, third party program evaluations and state and federal reports. Data for these is collected from grant applications and reports, site visits to local programs, surveys of stakeholders, and analysis of data collected through a number of reporting systems.

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

This division was created in August of 2007 for the purpose of leveraging agency and community programs with the objective of implementing programs to ensure all students are sufficiently prepared for academic success. The department originally administered programs relating to early childhood education, English language learners, and math and science partnerships. In 2010, out-of-school time programs were incorporated into the division to better coordinate risk prevention and community partnerships. Finally, in 2011, the division acquired the units administering health and safety programs; student discipline and law and order functions; and educator quality programs, including strategic compensation policy and leadership.

Programs focus on implementing educational support systems to ensure all students, especially those at risk of academic failure, are ready for learning and staying on grade level throughout their school career. The work of the units within SRP is designed to accomplish goals by identifying and collaborating with as many internal and external partners and entities with similar goals and eligible populations as possible so that resources are maximized and duplication is limited.

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

Programs administered by the SRP division are primarily directed toward students who are at risk of not being prepared to achieve academic success, their families, communities, and the educators who serve them. The work of this office affects agency staff members, SBOE and SBEC members, the U.S. Department of Education (USDE), legislative staff, school districts, other educational personnel across the state, students, and private citizens. Students include, but are not limited to, those in traditional schools and programs, those in alternative settings, such as DAEPs or local child care programs; those attending Title I Schools and Title I Schools in Need of Improvement, and after school drop-out prevention programs; as well as those in open-enrollment charter schools.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

SRP is administered through a series of competitive and noncompetitive contracts, grants, MOUs, and other formal agreements with a variety of entities and types of entities. These include local educational agencies (LEAs), regional education service centers (ESCs), IHEs, CBOs, private companies and nonprofit groups. The division establishes program goals, objectives, and performance measures based on legislative mandates and budgetary resources, frequently using the Commissioner of Education Rule process to establish policy and seek stakeholder input. Once established, these goals, objectives, and measures are laid out in specific detail in Requests for Proposals or Applications (RFPs/RFAs) or other programmatic guidelines and implemented in concert with partners described above. Progress is tracked and data, reports, and evaluations are analyzed to implement program improvement measures as needed to reflect changing constituent needs.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

251 School Readiness & Partnerships

Federal Funds	339,281
General Revenue	553,485

251 School Readiness & Partnerships Total 892,767

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

This division has implemented policies to formalize state and local partnerships with community based organizations (CBOs), two year and four year institutions of higher education (IHEs), and other state agencies. These range from local, independently owned child care providers, to national nonprofit organizations, and to universities and state agencies serving identical populations with similar serves. Although not an exhaustive list, these organizations include the Texas Early Learning Council, Texas Workforce Commission, Office of the Comptroller, Head Start agencies, the Texas State Safety Center, the Supreme Court of Texas, Texas Youth Commission, Juvenile Justice agencies, the Cooper Institute for physical activity and nutrition, school health and nutrition organizations, the Texas Agricultural Commission, large and small universities, ESCs, and nonprofit organizations.

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency’s customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The partnerships discussed in H. create community support for the goals of the programs, leverage a wide variety of funding resources, provide for statewide collaborative efforts and prevent duplication of effort and services. Services are rarely identical, but frequently complementary. Duplication and conflict are avoided and resource leveraging is encouraged in a variety of formats, including frequent professional development presentations to constituents by partners to describe programs with similar intent and eligibility criteria. Examples of some agreements include interagency agreements with the Texas Workforce Commission (TWC) for professional development for early childhood education

educators and administrators, a grant received by the agency from the Centers for Disease Control (CDC) and multiple contracts and grants to LEAs, IHEs and ESCs.

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

Examples of units of government with which the SRP division does business include the USDE, the TWC, the Administration for Children and Families (ACF), local school and workforce boards, juvenile justice agencies, Department of Family Protective Services (DFPS), Texas Department of Agriculture (TDA), and the Department of State Health Services (DSHS).

K. Contracted expenditures made through this Division.

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Not Applicable

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

Not Applicable

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

A. Guide to Agency Programs / Divisions	
Division Number:	300
Division Name:	School Improvement and Educator Initiatives
Associate Commissioner:	Ann Smisko
Expenditures, FY10:	117,710
Number of FTEs (8/31/10):	2.18

B. What is the objective of this division? Please describe the major activities performed.

The purpose of the Department of School Improvement and Educator Initiatives is to provide leadership to support all schools in improving student performance and to ensure the highest level of educator preparation and practice to achieve student excellence. The office oversees the work of the State Board of Educator Certification, School Engagement, Campus Turnaround, Educator Standards, Certification, and Fingerprinting, Investigations; as well as the No Child Left Behind (NCLB) and Individuals with Disabilities Education Act (IDEA) federal programs. This department oversees cc 301,311,312,314,906 and 908 in addition to directly managing the administrative functions of the State Board for Educator Certification (SBEC), campus turnaround, loan forgiveness, teacher effectiveness metric and educator performance evaluation systems.

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

SBEC - Provide administrative functions and services for 5 meetings per year of this 14-member appointed Board. This board is responsible for rulemaking, policy making and adjudication related to educator certification for the state.

Campus Turnaround - Provided direct support for 18 low-performing campuses to assist in improving student performance. In addition, developed on-line professional development with accompanying tools for campuses to be able to use the TEA process to turnaround student performance.

Loan Forgiveness - Increased total loan forgiveness from \$5.1 million to \$11.4 million from 2008 to 2010. Increased number of loans forgiven from 1628 to 3048.

Teacher Effectiveness Metric and Appraisal System - This is a pioneering effort to develop a set of statewide tools that will help principals to be effective school leaders and assist LEAs in identifying and retaining effective teachers. The first use of the metric is the Educator Preparation Accountability System. The project has examined the research literature and other models, developed a theoretical basis for the metric and begun preliminary examination of data. The most influential work will not be possible until teacher-student linked data is available in October 2011.

The Educator Performance Evaluation Systems Initiative - is documenting, for the first time, the variety, uses and results of teacher and principal appraisal systems across Texas. Over 99% of districts have reported some data on their appraisal systems.

See also CC 301, 311, 312, 314, 906 and 908.

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

SBEC - A separate board and agency, the State Board for Educator Certification (SBEC), which were given responsibility for all matters related to educator certification, was created by 1995 legislation. Prior to 1995, TEA was responsible for those matters. The agency carried out the administrative functions and services of the board until September 1, 2005, when it was abolished pursuant to Sunset Act review. The SBEC board was not abolished, but the SBEC's Sunset Act provision, TEC §21.035, was amended to provide: ADMINISTRATION BY AGENCY. The Texas Education Agency shall provide the board's administrative functions and services. Thus, since 2005, the SBEC board has continued to perform its rulemaking, policymaking, and adjudicatory functions, but all administrative functions and services related to educator certification have been performed by TEA.

See also cc301, 311, 313, 314, 906 and 908.

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

SBEC - affects all Texas educators and school district employees.

Campus Turnaround - affects 10 – 20 low performing campuses each year.

Loan Forgiveness - affects shortage area (e.g. math, science, special education) teachers in high poverty schools. It helped 788 teachers in 2008 and 1574 teachers in 2010.

The Teacher Effectiveness Metric and Appraisal System - will measure the effectiveness of as many teachers and administrators as practicable. It is intended to measure the effectiveness of the state's 175 educator preparation programs. It will also likely affect English Language Arts and Math teachers in grades 4-8 and building principals, and will less likely affect teachers in other grades and subjects.

The Educator Performance Evaluation Systems Initiative - reflects the nature of appraisal systems in all Texas school districts and will provide data on the nature and uses of educator appraisals for all Texas districts to researchers, policymakers and the public.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

For SBEC, there is an approximately 2-month agenda preparation schedule for each meeting beginning with review of potential agenda items through several state-required approval processes, ending with printing and posting of the final agenda the last 2 weeks prior to each meeting.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

300 School Improvement & Educator Initiatives

Federal Funds	116,063
General Revenue	1,648
300 School Improvement & Educator Initiatives Total	117,710

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

Not Applicable

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Loan Forgiveness – Coordinates work with Texas Higher Education Coordinating Board (THECB), the guarantor, Texas Guaranteed (TG), and the US Department of Education.

TEA confers as needed with the Texas High School Project to ensure the Teacher Effectiveness Metric does not conflict with their College Readiness initiatives.

TEA is the agent for the Governor's Office in ensuring compliance with aspects of the State Fiscal Stabilization Fund.

In addition, this department coordinates generally across the entire agency including, in particular, Accreditation, Program Monitoring and Intervention, Accountability, Curriculum, Statewide Initiatives and Formula and Discretionary Funding.

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

See cc. 301, 311, 312, 314, 906 and 908. In addition:

TG is a public, nonprofit corporation that offers resources to help students and families plan and prepare for college, learn the basics of money management, and repay their federal student loans.

The THECB works with the Legislature, Governor, governing boards, higher education institutions and other entities to help Texas meet the goals of the state's higher education plan, Closing the Gaps by 2015, and thereby provide the people of Texas the widest access to higher education of the highest quality in the most efficient manner.

The Project on Educator Effectiveness and Quality (PEEQ) is a contract with the University of Texas to develop a metric that measures a teacher's effect on student achievement in their first three years in the classroom and provide feedback to educator preparation programs (EPPs), teachers, and policy makers that will improve the quality of teaching and enhance student learning in Texas. Specifically, the metric will be used for the student achievement standard set forth in Texas Education Code § 21.045 (SB 174) and federal grant requirements for measuring educator effectiveness through the new State Longitudinal Data System.

Finally, this office regularly interacts as necessary with School Districts, Regional Education Service

Centers, Educator Preparation Programs, the State Legislature, LBB, Texas Comprehensive Center, Edvance, and the USDE.

K. Contracted expenditures made through this Division.

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Not Applicable

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Loan Forgiveness – the program provides incentive for and support to teachers with scarce skills teaching in the campuses with the neediest students.

The primary purposes of the Teacher Effectiveness Metric are to meet the requirements of TEC §21.045(a)(3) and Outcome 8 of the Texas State Data System, American Recovery and Reinvestment Act Integrated Plan.

The Educator Performance Evaluation Systems initiative meets the requirements of nine indicators and descriptors of the State Fiscal Stabilization Fund (SFSF) Phase II Application and Outcome 9 of the Texas State Data System, American Recovery and Reinvestment Act Integrated Plan.

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

Texas Education Code (TEC) §21.031 establishes the State Board for Educator Certification (SBEC) to “regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators.” In proposing the rules authorized and required by TEC Chapter 21, Subchapter B, the SBEC must “ensure that all candidates for certification or renewal of certification demonstrate the knowledge and skills necessary to improve the performance of the diverse student population of this state.” Educator certification is also necessary because TEC §21.003 provides that an educator may not be employed by a Texas public school district unless the person holds an appropriate certificate or permit issued by SBEC. TEC §21.035 requires that TEA “shall provide the board’s [SBEC’s] administrative functions and services.” These services and functions, which are performed by the Division on behalf of TEA and SBEC, are required and authorized by Chapter 21 and Chapter 22, Subchapter C. These Education Code requirements include providing such services and functions as: ensuring that SBEC administrative rules and policies are lawfully adopted and enforceable; administering certification standards and school personnel assignment requirements; certifying all categories and classes of educators; approving, holding accountable, and regulating educator preparation programs; recruiting, developing, and setting appraisal standards for educators; reviewing criminal histories of educators and school employees; and conducting disciplinary investigations and proceedings based on allegations of educator abuse and misconduct.

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

A. Guide to Agency Programs / Divisions	
Division Number:	301
Division Name:	Office of Special Programs
Division Director:	Gene Lenz
Expenditures, FY10:	392,350
Number of FTEs (8/31/10):	3.14

B. What is the objective of this division? Please describe the major activities performed.

The purpose of the Office is to provide assistance to national and state executive, legislative, and agency leadership to establish a vision for the education of all students and implement systems for improving student performance that lead to positive post-school opportunities and results. The functions of the Office include:

- Oversight of the state's design for the education of students with disabilities and students identified as educationally disadvantaged through internal and external coordination, leadership, guidance, and support; and
- Establishment of systems of collaboration and accountability for the Divisions of IDEA (Individuals with Disabilities Education Act) Coordination (311), and NCLB (No Child Left Behind) Program Coordination (312).

The Office will also implement systems that ensure the effective use of limited state resources for the maximum benefit of students, parents, and school personnel by leveraging technology and fiscal resources, and purposeful collaboration within the Office of Standards and Programs and across all other agency functions.

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

See responses from Divisions 311 and 312.

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

The Office was created during the 2003 Reduction in Force (RIF) and reorganization specific to special education. Internally decentralized functions were brought back together under one Office 301, 310, 311, and 314). In 2004, additional responsibilities were added that included NCLB Program Coordination (312) and all Program and Accountability Monitoring (310). In 2007, Program and Accountability Monitoring was moved to another part of the Agency.

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

See responses from Divisions 311 and 312.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

Cost Centers 301, 311 and 312 work very closely with the 20 Education Service Centers (ESC).

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

301 Special Programs

Federal Funds	390,594
General Revenue	1,756

301 Special Programs Total	392,350
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H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

Not Applicable

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

See responses from Divisions 311 and 312.

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

See responses from Divisions 311 and 312. This office interacts as necessary with Independent School Districts and Charter Schools; ESCs; Universities (IHEs); private providers; parents; advocacy organizations; State Legislature; LBB; TXCC; SERRC; and USDE (OSEP and OESE).

K. Contracted expenditures made through this Division.

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

See responses from Divisions 311 and 312.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

See responses from Divisions 311 and 312.

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

See responses from Divisions 311 and 312.

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

A. Guide to Agency Programs / Divisions	
Division Number:	310
Division Name:	Program Monitoring and Interventions
Division Director:	Karen Batchelor
Expenditures, FY10:	5,557,217
Number of FTEs (8/31/10):	67.37

B. What is the objective of this division? Please describe the major activities performed.

The Division of Program Monitoring and Interventions supports the state’s goals for public education by reviewing, evaluating, monitoring, investigating, sanctioning, and intervening with school districts and campuses to ensure excellence in education for all students. The major areas of responsibility are related to state and federal accountability monitoring and interventions; district and campus investigations and sanctions; program monitoring and interventions for the bilingual education/English as a Second Language, career and technical education, No Child Left Behind, and special education program areas; and data validation monitoring and investigations. The division supports activities related to the posting and review of district accreditation statuses, conducts special accreditation investigations, and oversees required interventions for struggling schools. Additionally, the division provides residential facilities monitoring and intervention activities for students with disabilities residing in residential facilities. The division also performs certain monitoring and oversight responsibilities as required by the United States Department of Education Office for Civil Rights.

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

The division annually monitors LEAs for federal and state accountability and program effectiveness, which includes approximately 1000 desk reviews and 80 on-site visits. Intervention and sanction measures are implemented to address findings related to performance concerns and noncompliance with federal and state requirements. The numbers of 2010-2011 LEA intervention numbers are:

Stage by Program Area	BE/ESL	CTE	SE	NCLB	Intervention Total
1/1A	126	79	332	437	974
1B	34	NA	97	NA	131
2	30	34	81	76	221
3	23	34	56	31	144
4	24	20	23	10	77
LEA Total	237	167	589	554	1547
LEA Submit Total	111	88	257	554	LEA Submit = 1010

Total Number of Unduplicated LEAs Identified = 896

Shaded cells indicate required submissions to the TEA and/or on-site reviews.
Non-shaded cells indicate random and/or stratified submissions to the TEA.
NA indicates not applicable.

Division performance measures include:

- Number of LEAs Participating at the Most Extensive Intervention Stage Based on PBMAS Results (135)
- Number of LEAs Participating in Monitoring Interventions Related to Discipline Data and Programs (76)
- Number of LEAs Participating in Interventions Related to Student Assessment Participation Rates (84)
- Number of Local Education Agencies Identified in Special Education Performance-Based Monitoring System (452)
- Number of Local Education Agencies Identified in the Performance-Based Monitoring System for Bilingual Education/English as a Second Language (239)

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

Public school districts and campuses are held accountable for student achievement through a system of rewards, recognition, interventions, and sanctions. Academic accountability is administered through two state systems, the Accountability Rating System for Texas Public Schools and School Districts and the Performance-Based Monitoring System. The PMI division was created to support the federal and state systems of accountability that are driven by challenging assessments, high-quality data, highly qualified and effective educators, and high standards of student, campus, district, and agency performance.

In 2003, HB 3459 [now TEC 7.028] established an ongoing expectation for agency monitoring of programs to ensure compliance with federal laws and regulations, financial accountability, and data integrity for the purpose of PEIMS and accountability under TEC Chapter 39. The law authorized TEA to conduct on-site monitoring based upon an analysis of risk factors. The law also preserved TEA's monitoring of state program compliance, allowing special accreditation investigations visits and special investigations. The law also directed TEA to audit dropout records electronically.

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

All LEAs (1237 districts and 8,468 campuses) are held accountable for creating optimal learning environments and sustainable increases in student achievement for the 4.8 million Texas students. The division directly affects the school improvement efforts through a coordinated, effective statewide system of support for struggling districts and schools for the state accountability (3% AU districts and 1.2% AU campuses) and federal accountability (16% districts missed AYP and 4.2% schools missed AYP) systems.

The program monitoring and interventions division affects all LEAs, and over 800,000 students in BE/ESL programs, one million students in CTE programs, 450,000 students in special education programs, 2 million at risk students, and 2.8 million economically disadvantaged students. See chart in Section C related to the number of LEAs impacted by the division of program monitoring and interventions.

The program monitoring and interventions division also affects all 1287 districts by holding them accountable for the quality and integrity of student leaver records and student discipline records submitted to the agency through the public education information management system , and for the accuracy of student assessment records. These data are critical to the state and federal accountability rating and performance-based monitoring systems.

The residential facilities monitoring system affects 248 districts and 11,782 students with disabilities residing in Texas residential facilities.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

The Division of Program Monitoring and Interventions is one of four divisions within the Department of Accreditation. The division has two main units:

- the special education monitoring unit, which conducts monitoring of special education programs in all LEAs, monitors programs serving students with disabilities residing in residential facilities, and approves nonpublic schools that offer educational programs for students with disabilities; and
- the interventions and investigations unit, which conducts monitoring for the BE/ESL, NCLB, and CTE programs, monitors the accuracy of data submitted by school districts and used in the state and federal accountability rating and performance-based monitoring systems, and supports the interventions and sanctions for low performing campuses and districts in the federal and state accountability systems.

The division has a small, essential unit that supports technical assistance and special projects for the division. Activities include research, data analysis, and development and maintenance of resources for efficient and effective monitoring and interventions. Additionally, the Office of Program Monitoring and Interventions provides oversight for the Division of Governance and General Inquiries.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

310 Program Monitoring and Interventions	
Federal Funds	4,331,013
General Revenue	1,226,203
310 Program Monitoring and Interventions Total	5,557,217

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

The division coordinates with the TEA Performance-Based Monitoring Division to implement the Performance-Based Monitoring Analysis System by developing and implementing a data-driven monitoring and intervention process for the CTE, BE/ESL, NCLB, and IDEA program areas, the including DVM monitoring system. Data received from the PBMAS provides a means for the division to evaluate districts and assign stages of intervention based on student performance and/or program effectiveness

concerns. The division then assigns a stage of intervention based on districts with the highest levels of concern and conducts specific program monitoring and intervention activities based on the initial data analysis.

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The division coordinates state and federal accountability monitoring, interventions, and sanctions for struggling, low achieving districts and schools in collaboration with the Texas Center for District and School Support, Texas Turnaround Center, Texas Turnaround Leadership Academy, Education Service Center Turnaround Teams, School Improvement Resource Center, and the Professional Services Provider Network. The agency is eliminating, to the extent possible, the duplicative burden of state and federal requirements and interventions for districts and schools.

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

The federal statutes and regulations for NCLB, the Carl D. Perkins Career and Technical Education Act, and IDEA require state agencies to monitor the extent to which grantees are effectively meeting program goals and requirements. These federal laws specifically require the state to monitor whether grant funds are contributing to improved student performance for particular student groups, including students with disabilities, LEP students, migrant students, and students served in CTE programs. The division conducts the monitoring and intervention activities for the performance-based monitoring system for the federal programs, including monitoring for compliance, correction of noncompliance, and reporting of monitoring and intervention activities.

The division coordinates the implementation of federal requirements with federal units of government, such as the USDE Office of Special Education Programs (Complaints and Special Education Services), the USDE Department of Academic and Technical Education (CTE programs), the USDE Office of Legal Services (Mediation and Due Process), the USDE Office for Civil Rights, and other state and federal agencies and stakeholders.

K. Contracted expenditures made through this Division.

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Not Applicable

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Primary areas of statutory authority include:
TEC §39.057-059
TEC §39.102-116
TAC §97.1031-1073

Additional information about Program Monitoring and Interventions can be found on the division's website at: <http://www.tea.state.tx.us/pmi>.

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

The division evaluates and considers districts' compliance with statutory requirements according to TEC Chapter 39 and requirements imposed by commissioner/SBOE rule related to: PEIMS data reporting, graduation requirements, effectiveness of district's programs for special populations, and CTE programs. The division conducts on-site investigations to answer any questions concerning a program, reports its findings, and makes recommendations concerning necessary improvements or sanctions/interventions. [19 TAC Chapter 97] The division provides state monitoring for LEA compliance with federal statutes and regulations for the NCLB, IDEA, and Perkins law.

The division conducts special accreditation investigations as necessary according to TEC 39.057 and makes recommendations to the commissioner regarding actions needed to improve performance. The division presents preliminary findings to the district and provides the opportunity for an informal review.

The division coordinates the implementation of certain district and campus interventions and sanctions, including the approval and support for campus intervention team members, review/approval of school improvement plans and monitoring for implementation of improvement plans, and provides support for special purpose monitors and conservators if needed. The division reviews and approves reconstitution plans for persistently low performing campuses, and supports commissioner sanctions for repurposing, alternative management, or campus closure.

The division annually analyzes data and assigns graduated stages of intervention to address student performance, program effectiveness, and data quality deficiencies. Intervention activities and resources are designed to support district implementation of a continuous improvement processes. The division conducts monitoring and intervention activities through desk reviews or on-site visits to assist the district in raising performance and achieving compliance. [TAC 97.1071]

The division also conducts data validation monitoring, interventions, and investigations for student leaver records, student discipline records, and student assessment records to ensure the integrity and quality of data used to measure student achievement and guarantee meaningful educational accountability.

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

A. Guide to Agency Programs / Divisions	
Division Number:	311
Division Name:	IDEA Coordination
Division Director:	Kathy Clayton
Expenditures, FY10:	2,733,754
Number of FTEs (8/31/10):	29.10

B. What is the objective of this division? Please describe the major activities performed.

The Division of IDEA (Individuals with Disabilities Education Act) Coordination provides leadership, guidance, and resources for the establishment and implementation of the state's design for the education of students with disabilities. The division coordinates the internal implementation of federal and state special education requirements with other divisions in the Office of Special Programs (No Child Left Behind Coordination), with other divisions within the agency including Program Monitoring and Interventions, Legal Services (Mediation and Due Process), and externally with other state agencies and stakeholders. The functions of the division include:

- Coordinating the implementation of federal and state special education requirements;
- Completing annually required federal and state documents, plans, and reports;
- Establishing rules, interagency agreements, procedures;
- Providing guidance/tools/products as necessary to implement federal and state requirements;
- Establishing and managing the state's system for special education complaints resolution;
- Managing the program for deaf/hard of hearing students receiving services through the Regional Day School Programs for the Deaf; and
- Coordination of general grant administration responsibilities.

The division coordinates with the Department of Planning, Grants and Evaluation to leverage limited financial resources to support school district implementation of federal and state requirements for the education of students with disabilities and the distribution of federal funds and certain state funds through review and approval of applications. The division provides leadership and support to education service centers, institutions of higher education, and other entities to ensure the provision of the state's comprehensive system of personnel development.

The division provides advisement to the state regarding special education-related issues, including: complaints investigations, access to the general curriculum, promising practices, visual impairments, deaf education, early childhood intervention, Admission, Review and Dismissal (ARD) committees, procedural safeguards, federal regulations, and statewide assessments.

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

The Individuals with Disabilities Education Act (IDEA) of 2004, signed on December 3, 2004, requires each state to develop a six-year performance plan. This State Performance Plan (SPP) evaluates the State's efforts to implement the requirements and purposes of IDEA and illustrates how the State will continuously improve upon this implementation. The SPP is submitted to the Office of Special Education Programs (OSEP) at the U.S. Department of Education (USDE). An annual progress report related to the SPP is known as the State's Annual Performance Report (APR). Texas SPP and annual APR submissions

can be found on the TEA website at <http://www.tea.state.tx.us/index2.aspx?id=2147497591>. The APR contains longitudinal data on twenty performance and compliance indicators.

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

Not Applicable

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

To be eligible for special education and related services under IDEA, a student must meet the federal definition of a disability. There are specific categories of disability under IDEA. Special education and related services will be made available to all eligible students ages 3-21. Federal definitions for each area are in Title 34 of the Code of Federal Regulations (CFR) §300.8.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

The Division of IDEA Coordination is one of two divisions within the Office of Special Programs at the Texas Education Agency. The division reports directly to the deputy associate commissioner for special programs. This office is located in the Office of School Improvement and Educator Initiatives. Responsibilities of the division are noted in Section B of this document. The division works with regional education service centers (ESCs) and local educational agencies (LEAs) to ensure the implementation of services for students with disabilities.

Technical Assistance, Training, and Support

Education Service Centers--The 20 ESCs are regionally located and provide districts and communities with training, technical assistance, and support directly related to services for students with disabilities.

Direct Service/Implementation

- Local Educational Agencies--LEAs, both school districts and charter schools, provide direct and/or contracted services for students with disabilities.
- Single Member Districts--Many districts in the state provide and lead their own special education program within their district.
- Shared Services Arrangements--In some cases, two or more districts join together and perform specific services for the member school districts in order to implement the special education program.
- State Agencies That Act as LEAs
- The Texas School for the Deaf (TSD) provides educational opportunities for students who are deaf or hard of hearing by providing a comprehensive educational and residential program and an array of consultative services for parents and professionals throughout the state.
- The Texas School for the Blind and Visually Impaired (TSBVI) provides opportunities for children and youth who are visually impaired, including those with additional disabilities, to develop the skills related to productive lives.

- Texas Youth Commission (TYC), the state’s juvenile corrections agency, provides an individualized education, treatment, life skills and employment training and positive role models to facilitate successful community reintegration.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

311 IDEA Coordination

Federal Funds	2,733,754
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311 IDEA Coordination Total	2,733,754
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H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

The TEA serves as the fiscal agent for the state’s IDEA grant award. By federal requirement the grant must be awarded to the state educational agency with oversight for all public schools. The Division of IDEA Coordination works on behalf of students aged 3 - 21 with disabilities. The division is responsible for providing leadership, guidance, and resources for the establishment and implementation of the state’s design for the education of students with disabilities. All students in Texas are considered general education students first so all divisions within the agency provide support in some manner to these students outside of the realm of special education services.

Other state agencies; Department of Health and Human Services (HHSC), Department of Assistive and Rehabilitative Services (DARS) and, Department of Aging and Disability (DADS) provide social services to support students with disabilities and their families. The Texas Juvenile Justice Department does provide education services to students under their charge, but are subject to the same requirements as LEAs.

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency’s customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Regularly scheduled meetings are held with divisions of Curriculum, Student Assessment, Formula Funding, and Program Monitoring and Interventions to ensure that all needs of students with disabilities are met and to provide support regarding compliant practices with federal and state rules and regulations pertaining to students with disabilities.

In addition, *TEA and the Texas Department of Assistive and Rehabilitative Services (DARS)* has a letter of Agreement and several memoranda of understanding (MOU) with other state agencies concerning transition issues for Early Childhood Students with Sensory Impairments and students graduating from high school.

- LOA: between the DARS Division for Blind Services and Division of Rehabilitation Services and the TEA establishes the respective roles and responsibilities for outreach, consultation, and the coordination and provision of transition services.
- MOU: between the DARS Interagency Council on Early Childhood Intervention (ECI) and the TEA establishes a statewide system of services which ensures that all children, birth through two with auditory and/or visual impairments receive services.

- MOU: between DARS ECI and TEA to define roles and responsibilities ensures a seamless transition of services for students with disabilities approaching age three.

There is also an Interagency Cooperation Contract among the following state agencies: Department of State Health Services, Department of Family & Protective Services, Department of Assistive and Rehabilitative Services, Health and Human Services Commission, Department of Aging and Disability Services, and the Texas Education Agency to support activities of the Texas Council on Autism and Pervasive Developmental Disorders.

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

Local - The Division of IDEA Coordination provides guidance and technical assistance to LEAs. The complaint and funding teams work directly with LEAs by providing guidance, technical assistance and training. LEAs are defined as school districts and charter schools in Texas.

Regional - The Division of IDEA Coordination provides leadership in implementing the requirements of IDEA 2004 in Texas. It is supported in that responsibility by twenty regional education service centers (ESCs) established throughout the state to provide training and technical assistance and serve as first point of contact for the parents, school districts, charter schools, and other community stakeholders of each region. To facilitate the TEA's commitment to improve results for all students, responsibilities of the Division and the ESCs are aligned with SPP Indicators.

The ESC statewide leadership function leads establish and coordinate a 20-region network. This network ensures ongoing communication among ESCs about state-level needs assessment processes and planning, as well as implementing and evaluating statewide activities. ESC statewide project leadership is focused on a specific activity. Measurable results for ESC statewide function and project activities are reflected in special education continuous improvement plan (SECIP) reports submitted annually to the TEA by the ESCs.

Federal - The Division of IDEA Coordination accesses OSEP for guidance and technical assistance regarding funding and policy issues in implementation of the IDEA. The division also accesses the technical assistance of the federally funded technical assistance centers such as the following:

- Data Accountability Center
- National Secondary Transition Technical Assistance
- National Early Childhood Technical Assistance Center
- Early Childhood Outcomes Center
- National Post School Outcomes Center
- National Drop Out Prevention Center
- Regional Resource Centers
- Parent Training and Information Networks

K. Contracted expenditures made through this Division.

Division Contracts Over 50k - FY10			
Division Number	Description	Contract Amount	Total Expenditures
311	TX STATE SURVEY-DEAF STUDENTS	203,688.00	17,629.48
311	FACILITATE TX CONTINUOUS IMPROVEMENT PROJECT	141,000.00	29,000.00
311	LANGUAGE TRANSLATION SERVICES	50,000.00	5,198.04
311	ANALYSIS OF SPP DATA	139,167.00	92,084.00

L. What statutory changes could be made to assist this program in performing its functions? Explain.

At the federal level, coordination and alignment in the reauthorization of the Elementary and Secondary Education Act (ESEA) and subsequently the IDEA would produce more efficacy.

In state statute, the consideration of differentiated licensure and certification of related service personnel that would address a distinction in standards between private practice and public schools would address personnel shortages. Given the range of services provided by therapists in the schools, student needs could be appropriately met by different levels of staff.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

For additional information, visit the agency's "Special Education in Texas" web page at: <http://www.tea.state.tx.us/special.ed/>. The web page provides school personnel, parents, and other stakeholders with access to federal and state requirements and additional information and resources necessary and helpful to the implementation of special education services in Texas.

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

The IDEA is needed to ensure that eligible students with disabilities receive a free appropriate public education. The state is responsible for the implementation of the federal law. The responsibilities of the Division of IDEA coordination are listed in Part B of this section. These responsibilities along with the other divisions (Program Monitoring and Interventions and Student Assessment) and the mediation and the due process hearing functions, housed in the Office of Legal Services, ensure the development and implementation of state policy and compliance with federal and state requirements.

Information related to the special education complaint investigation process under IDEA is available at <http://www.tea.state.tx.us/index2.aspx?id=2147497560>.

O. For each regulatory program, if applicable, please provide complaint information.

311 - IDEA Coordination Information on Complaints Against Regulated Persons or Entities Fiscal Years 2009 and 2010		
	FY 2009	FY 2010
Total number of complaints against regulated local education agencies	355	327
Total number of jurisdictional complaints received from the public	145	138
Number of complaints pending from prior to 2009	14	9
Number of complaints resolved/closed	196	180
Complaints resulting in disciplinary action:	103	62
other	103 with corrective action	62 with corrective action

A. Guide to Agency Programs / Divisions	
Division Number:	312
Division Name:	NCLB Program Coordination
Division Director:	Cory Green
Expenditures, FY10:	3,575,111
Number of FTEs (8/31/10):	46.14

B. What is the objective of this division? Please describe the major activities performed.

The division is responsible for program administration, program compliance, and program implementation of the federally-funded, formula education programs under the No Child Left Behind Act (NCLB) in a manner that supports the instructional program and provides supplemental services for students and teachers who are eligible for services. The division also serves as the program office and is responsible for the implementation and oversight of the Ed-Flex Partnership Program which grants federal waivers to LEAs and audit and the implementation and compliance of the ARRA programs supporting NCLB, the Texas Title I Priority Schools grant program, and the State Fiscal Stabilization Fund program.

Through the development and processing of program applications for funding and the provision of program leadership, the division works to increase the level of equity and excellence in student achievement throughout Texas. Division staff works collaboratively with other Agency divisions, education service centers, local education agencies, universities, and other state agencies.

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

LBB Performance Measures:

OC 1.2.13 - Percent of Limited English Proficient (LEP) Students Making Progress
in Learning English - 64.2%

OC 2.3.1 - Percent of Core Subject Area Classes Taught by Highly Qualified Teachers - 99.37%

OP 1.2.2.1 - Number of Title I Campuses Rated Exemplary or Recognized - 4,145

EX 1.2.2.1 - Number of Migrant Students Identified - 51,852

As part of the division’s responsibilities, staff currently review and process the following numbers of application and compliance documents in addition to the programmatic responsibilities.

- 475 LEA Highly Qualified Teacher Compliance Corrective Action Plans
- 599 LEA Compliance Validation Submissions
- 578 LEA Initial Compliance Analysis Corrective Action Plans
- 2824 Original Applications for Funding
- 2660 Amendments to Applications for Funding (some application amendment periods are currently open)
- 218 Campus School Choice Parent Notification Letters
- 199 Campus SES Parent Notification Packets
- 182 LEA Improvement Parent Notification Letters

- Estimate of 925 telephone calls per week (based on actual count of calls received and calls made one week in April 2011; if a call received came in through the main line and was transferred then it is counted twice as two staff handled the call; many incoming calls are self directed by the caller to the appropriate staff person through the automated phone menu options)

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

The implementation and administration of federal NCLB program areas changes with each major reauthorization of the federal statute. Reauthorization is scheduled for each six years, but occurs anywhere from each six to ten years. Small changes to responsibilities and functions, usually increased responsibilities, may occur annually as Congress passes changes to the federal statute through the allocation process or by USDE requiring additional administrative or oversight responsibilities.

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

The division affects the federal funding to all LEAs and regional ESCs through formula and competitive grants. The division oversees the Agency's application and approval process for Supplemental Educational Services (SES) providers who provide required tutoring for eligible students enrolled at campuses identified in Stages 2-5 of Title I School Improvement. Division maintains federal highly qualified teacher status and implements required interventions and corrective action plans from LEAs.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

The division is administered by a senior division director with assistance from Program Supervisor IV/V staff members who serve as division managers/supervisors. Each manager supervises a team of staff who share common responsibilities. The division is organized into several teams, described below, and each staff member serves on two or three teams sharing division responsibilities.

- Application Compliance Teams – responsible for review, negotiation, and approval of NCLB Consolidated, Rural, Low-Income Schools Program, Title I School Improvement, Texas Title I Priority Schools Program (SIG), NCLB Education Service Center, and State Fiscal Stabilization Fund Applications for Funding for LEAs.
- Data Team – responsible for data analysis, compilation and reporting, and Initial Compliance Review desk audit systems
- Program Compliance Team – responsible for review and approval of LEA submission of interventions, corrective actions, validations, highly qualified teacher plans, NCLB program compliance reports, and Title I Comparability of Services requirements
- Communication Team – responsible for division web site, Email LISTSERV, disseminating information, Public Information Requests
- Title I, SIP/SES, TTIPS, Migrant, Part D, Title III, SFSF or Other Program Areas (OPA) Teams – responsible for program Implementation
- Complaints Team – responsible for complaint resolution

Generic Division Work Timeline

Original Applications – June-September

Amendments – September-June

Validations -- September-May

Corrective Actions – January-April

HQT Reports – December-April

Parent Notifications – June-August; September-November; January-March

Federal Reporting – Consolidated State Performance Report – December and February with corrections afterward

Federal Reporting – EDEN data – throughout the year

Program Implementation – throughout the year

Regional Education Service Centers (ESCs) provide technical assistance to the LEAs on behalf of the division.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

312 NCLB Program Coordination

Federal Funds	3,467,121
General Revenue	107,990

312 NCLB Program Coordination Total 3,575,111

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

State Compensatory Education funds provide similar services as federal Title I, Part A; however, the program requirements are different and serve different students. SCE may be used in some instances like Title I, Part A funds if the LEA meets state requirements for SCE.

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency’s customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The Division of NCLB Program Coordination coordinates and meets regularly with the Division of School Audits (implements SCE) to coordinate. The division also coordinates and collaborates regularly with Performance Based Monitoring and Program Monitoring and Interventions to align and avoid duplication of effort in regards to monitoring program compliance and corrective actions for NCLB program areas. The division coordinates with Performance Reporting Division on the identification of School Improvement status and implementation of required interventions. The division coordinates with the Curriculum division on the implementation of Title III to align and avoid duplication of efforts related to English Language Learner students. The division coordinates with several divisions related to the early childhood curriculum for Migrant students.

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

U. S. Department of Education – USDE provides oversight of the Federal NCLB programs and monitors the Division of NCLB Program Coordination on the state’s implementation and administration. The division serves as the liaison to USDE program offices.

Regional Education Service Centers – ESCs provide technical assistance to LEAs on behalf of the division.

Local Education Agencies – LEAs receive the federal NCLB formula and competitive grants administered by the division.

SEDL as the USDE-funded Texas Comprehensive Center (TXCC) – TXCC assists TEA in building capacity of agency staff and regional ESC staff related to NCLB programs, implementation, and compliance.

Texas Higher Education Coordinating Board (THECB) – THECB implements a piece of the NCLB Title II, Part A program and coordinates with division and agency staff on the implementation.

Institutions of Higher Education – IHEs with teacher education programs or alternative certification programs coordinate with division staff for program compliance with the federal highly qualified teacher requirements.

K. Contracted expenditures made through this Division.

Division Contracts Over 50k - FY10			
Division Number	Description	Contract Amount	Total Expenditures
312	TIBH TEMP CONTRACT	5,000,000.00	89,975.60

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Alignment of state and federal accountability requirements would decrease requirements of the LEAs and the division.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

The division is responsible for ensuring the Agency meets the following federal statutory requirements and Education Department General Administrative Regulations (EDGAR) for the following federal programs administered by the division.

- Title I, Part A – Improving the Academic Achievement of the Disadvantaged, Basic Program
- Title I School Improvement Program (Section 1003(a))
- Texas Title I Priority Schools (TTIPS) School Improvement Grant (SIG) (Section 1003(g))
- Title I, Part C – Education of Migratory Children
- Title I, Part D, Subparts 1 and 2 –
- Title II, Part A – Teacher and Principal Training and Recruiting
- Title II, Part D – Enhancing Education through Technology (formula carryover funds only)

Title III, Part A – Language Instruction for Limited English Proficient and Immigrant Students
 Title IV, Part A – Safe and Drug-Free Schools and Communities (carryover funds only)
 Title VI, Part A, Subpart 2 – Funding Transferability
 Title VI, Part B, Subpart 1 – REAP-Flex
 Title VI, Part B, Subpart 2 – Rural and Low Income Schools Program
 Title IX, Section 9532 – Unsafe School Choice Option
 Ed-Flex Waiver Authority

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

The division oversees the agency’s application and approval process for Supplemental Educational Services (SES) providers implemented through Region 13 ESC. By statute, the state must approve the list of SES providers who may be selected by parents to provide tutoring services to eligible students. Providers may apply twice per year for a two-year approval. The division also oversees the evaluation of providers conducted by Region 13 ESC and would coordinate the removal of any provider deemed to not have made progress with the students for two consecutive years (required by statute). Region 13 ESC staff provide technical assistance to providers and LEAs regarding resolution of concerns. All complaints received regarding SES providers are processed through the division’s NCLB Complaint procedures.

O. For each regulatory program, if applicable, please provide complaint information.

312 - NCLB Program Coordination Information on Complaints Against Regulated Persons or Entities Fiscal Years 2009 and 2010		
	FY 2009	FY 2010
Total number of complaints	9	12
Number of complaints pending from prior to 2009	0	0
Number of complaints resolved/closed	8	12
Number of complaints withdrawn	1	0

A. Guide to Agency Programs / Divisions	
Division Number:	313
Division Name:	School Engagement and Improvement
Division Director:	Viviana Lopez
Expenditures, FY10:	<i>Not Applicable</i>
Number of FTEs (8/31/10):	<i>Not Applicable</i>

B. What is the objective of this division? Please describe the major activities performed.

The School Engagement and Improvement Division works collaboratively with the Accreditation Department, the Division of Program, Monitoring and Interventions, the Division of NCLB Program Coordination and the Department of State Initiatives at Region XIII Education Service Center (ESC) to ensure alignment of the state and federal systems of support. The division is responsible for developing new TEA programs and strategies to engage local education agencies (LEAs) and campuses in improving student performance, specifically for those identified as Academically Unacceptable (AU) in the state accountability system, and those that missed Adequate Yearly Performance (AYP) in the federal accountability system.

Specific activities include:

- Review and redesign procedures and processes to improve district and campus success
- Redesign duties and interaction of state and federal external personnel in districts and on campuses to ensure coherent input to districts
- Provide assistance in academic areas to help districts prevent accreditation/federal AYP difficulties
- Support the preparation and implementation of required plans that address needs and reflect research-based practices
- Design and monitor professional development activities and resources that assist the school community to solve problems and improve classroom practice and instruction.

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

One key element of success has been the continuation of the Professional Service Provider (PSP) concept that provides assistance to LEAs and campuses that are in state and federal difficulties. A single PSP provides streamlined support that saves time and financial resources for LEAs and campuses. In collaboration with Region XIII and the TEA Departments, the support for PSPs continues to be implemented.

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

This School Engagement and Improvement Division has been designed to implement goals and objectives consistent with Commissioner’s priority on school support and standards for improving student performance. The Division Director was hired in September 2010 to work with districts and campuses to improve academic performance. The division was created to include a Program Specialist and an Administrative Assistant. The Administrative Assistant term position was vacated in April 2011

and the Program Specialist position was frozen and never hired. Due to these changes, the work of this division has primarily focused on collaboration with Accreditation, NCLB and the Texas Turnaround Leadership Academy at ESC XIII, with continued emphasis on school improvement.

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

The division work affects LEAs and campuses not successful in the state and/or federal accountability system. The funding strategy was based on the percentages of 1) the LEAs and campuses rated AU in the state accountability system, and 2) Title I LEAs and campuses which Missed AYP in the federal accountability system from the total number of LEAs and campuses rated AU and Title I LEAs and campuses which Missed AYP. For the year 2010 the data and calculations are reflected below:

- AU LEAs: 45
- AU Campuses: 125
- Missed AYP Title I LEAs: 256
- Missed AYP Title I Campuses: 330

The funding strategy is recalculated for the following year based on the latest results.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

The work of the division is aligned with the timelines that are in place for accreditation reports for federal and state requirements.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

* Illustrated in **Section V, H**, indexed by division number.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

Similar activities are part of the State Initiatives at Region XIII Education Service Center. The School Engagement and Improvement Division serves as a liaison for the Department of School Improvement and other Departments at TEA.

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

All activities are coordinated with the Accreditation Department, the Division of Program, Monitoring and Interventions, the Division of NCLB Program Coordination and the Department of State Initiatives at Region XIII Education Service Center. A monthly meeting is scheduled to collaborate and ensure alignment of all activities that support LEAs and campuses in state and/or federal difficulties.

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

Region XIII Education Service Center – Department of Texas State Initiatives – focused on School Improvement

Monitor the program effectiveness of three NOGAs for Region XIII:

- Campus Turnaround Team Support
- Center for the Improvement for Districts and Schools
- School Leadership Academies

K. Contracted expenditures made through this Division.

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Not Applicable

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

Not Applicable

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

A. Guide to Agency Programs / Divisions	
Division Number:	351
Division Name:	Division of Charter School Administration
Division Director:	Mary Perry
Expenditures, FY10:	742,626
Number of FTEs (8/31/10):	9.30

B. What is the objective of this division? Please describe the major activities performed.

The Division of Charter School Administration provides statewide leadership for Texas charter schools through efficient and effective operations and timely and accurate responses to requests for assistance and information from all clients. Specifically, the division administers the charter application process for the State Board of Education (SBOE), the charter amendment and renewal processes for the commissioner of education, and the federal Public Charter School Grant Program administered by the United States Department of Education (USDE). In addition, the division processes complaints about charter schools and maintains an internal agency charter database.

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

As was previously stated, the Division of Charter School Administration administers the charter application process for the SBOE. Although it is an annual process, calls and emails regarding the process for obtaining a charter are received daily. The current Generation 16 request for application (RFA) was approved by the SBOE in July 2010. Two applicant conferences were held. The conference held on October 7, 2010, was attended by 130 individuals, and 99 attended the applicant conference held on December 9, 2010. By the deadline on February 24, 2011, the agency had received 32 applications. Of those, 19 were deemed complete and sent to external reviewers, and 15 received the average minimum score required to be interviewed by the Committee on School Initiatives, a five-member subcommittee of the SBOE. These public interviews have been scheduled for August 30-31, 2011, and the Committee on School Initiatives and State Board of Education will consider Generation 16 awards at their regularly-scheduled meetings in September. A separate RFA is developed for and approved by the SBOE for public college and university charters.

In budget year (BY) 2010, the Division of Charter School Administration processed 340 amendments from 108 different charters for commissioner decisions. Charters are originally authorized by the SBOE for five years, and it is the commissioner of education who renews charters, typically for 10 years. Annual renewal application forms and processes are developed by staff in the Division of Charter School Administration, and seven renewals were granted in BY 2010, with 10 renewal applications submitted in the spring of 2011.

The Director of the Division of Charter School Administration serves as the Charter School Program (CSP) Project Director for the federal CSP grant currently awarded to Texas by the USDE. Staff members in the division work with staff in discretionary grants to develop an annual subgrant application. Charter staff members then conduct the review of campus charter eligibility documents and the initial review of all subgrant applications. There were 13 subgrants awarded in BY 2010. In addition, staff members in this

division monitor subgrantee spending and reporting and prepare the annual evaluations required to be submitted to the USDE. Currently the USDE has awarded Texas \$51,677,374 in CSP funds with a grant period of August 1, 2010-July 31, 2015. In the Texas grant application to the USDE, it was assured that attendance at charter orientation would be required by at least one administrator of all open-enrollment charters before they begin serving students. Once only advertised for newly-awarded charters, orientation is now open to the public, and operational charters often send representatives, as do entities that are considering applying for charters. Staff members in the Division of Charter School Administration arrange, coordinate, and facilitate approximately 15 presentations by agency staff from other divisions and four presentations from other agencies for these three-day sessions that are held twice a year. The orientation session that was held February 8-10, 2011, was attended by 46 individuals, and 60 were in attendance for the session that was held May 10-12, 2011.

Staff members in the Division of Charter School Administration process written complaints about charter schools and provide assistance to individuals who call with charter-related complaints. In BY 2010, 75 written complaints were processed, and approximately 950 phone call complaints were handled.

In addition, the Charter School Tracking System (CSTS), an internal agency database, is maintained and updated by staff in this division. As necessary software change requests (SCRs) are made and once completed staff in this division tests and verifies that the changes have been made and are functioning properly. There were 54 SCRs to CSTS in BY 2010. This database is used by staff across the agency. Also, one staff member inputs all open-enrollment charter data into the TEA organizational database, called AskTED. While each traditional district has a person dedicated to maintain its data, charter data are updated by TEA staff. As of the last Friday in October 2010, what is known as Snapshot Date, a staff member in this division was responsible for updating data for 199 charters with a total of 482 campuses.

Staff members in the division maintain and update the division web page with information about Texas charters, RFAs, renewal applications, information about orientation sessions, and frequently asked questions. Information is provided through a general charter LISTSERV and a separate LISTSERV for those waiting for information on the next open-enrollment RFA. In addition, many public information requests (PIRs) that come to the agency request information about charters. In BY 2010, approximately 185 PIRs were filled by staff in this division. An annual governance reporting form is created by this division and adopted by the SBOE each year to collect information on open-enrollment charter board members and school officers. Staff members in this division are responsible for sending the forms to all charter schools, collecting and reviewing the data as the forms are submitted by the charters, and entering data into CSTS.

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

The original state charter legislation in 1995, Texas Education Code (TEC), Chapter 12, Subchapter D, allowed the SBOE to grant a total of 20 open-enrollment charters. During the following session, the 75th session in 1997, legislators raised the cap on the number of open-enrollment charters from 20 to 120 and allowed an unlimited number of charter schools to be awarded that would serve a population of 75% or greater at-risk students as defined by TEC 29.081.

In 2001, the 77th Texas Legislature significantly revised state statutes governing charters through House Bill 6 (HB 6). Although this legislation eliminated the state distinction between open-enrollment and at-risk charters and capped the number of Subchapter D charters that the SBOE may grant at 215, it also

created a new type of charter under TEC, Chapter 12, Subchapter E, that could be granted by the SBOE to public senior colleges and universities. There is no cap on the Subchapter E charters. HB 6 also transferred the authority to oversee amendments, charter renewals, and charter revocations from the SBOE to the commissioner of education.

In 2009, The 81st Texas Legislature revised TEC, Chapter 12, Subchapter E with HB 1423 that allows the SBOE to award charters to public junior colleges, in addition to public senior colleges and universities.

Although there is a cap of 215 Subchapter D charters, the SBOE has reached the cap and withheld an annual application cycle only once, in 2009, as, in other years, charters have merged, been returned, been revoked, and been non-renewed. In addition, the number of Subchapter D charter campuses grows annually when the commissioner approves expansion amendment requests.

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

This division’s staff serves as a resource about Texas charters to staff in other divisions in the TEA and staff in other state agencies, including the legislature, the United States Department of Education (USDE), and the general public as members of the public express interest in Texas charter schools. Additionally, this division specifically impacts all of the charter schools and charter school students in Texas. The specific numbers, as of October 2010, Snapshot Date, are as follows:

- 558 charter campuses (includes campus charters and open-enrollment charters); and
- 165,326 students.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

The Division of Charter School Administration is one division in the Department of Accreditation. As is indicated on the organizational chart, the division director, with the assistance of one manager, oversees one research specialist, three program specialists, and three administrative assistants who work to achieve the objectives described in Section B and serve as resources as mentioned in Section E. The division director reports to the Associate Commissioner for Accreditation.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

351 Charter Schools

Federal Funds	346,666
General Revenue	395,960

351 Charter Schools Total **742,626**

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

There are no divisions that provide identical functions to the functions provided by the staff in the

Division of Charter School Administration. However, there are two areas of responsibility that require the greatest degree of coordination with other divisions. Staff members in the Division of Charter School Administration work closely with staff members in the Division of Discretionary Grants to produce the RFA for the Public Charter School Start-Up Grant, to provide information to the public about the grant, and to review the grant documents. Additionally, handling charter school complaints is a function specific to this division, but the same process for handling complaints is used agency-wide.

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Duplication is avoided in the agency complaints processes in that the Division of Charter School Administration is responsible only for those complaints that deal with charter schools, and the collegial ongoing communication when complaints address areas overseen by different divisions in agency ensures that duplication is avoided and the clients are well served.

Duplication is avoided with the work conducted to award Public Charter School Start-Up Grants with a very specific delineation of duties that are outlined in writing and discussed at a meeting well before the draft RFA is developed. In addition, positive ongoing communication between staffs in the two divisions is the key to avoiding duplication and providing quality service to clients.

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

Staff members in this division work closely with the charter division at the USDE. As was mentioned previously, Texas currently has a USDE award of \$51,677,374 in CSP funds with a grant period of August 1, 2010-July 31, 2015. Annual reports are required to be submitted as a condition of the grant, and we have a good working relationship with the CSP contact assigned to Texas. He is accessible via phone and email to answer any questions that arise, and we promptly respond to his requests for information.

This division responds to legislative requests for information and information from other agencies, and the following agencies routinely send staff to present valuable information at the two charter orientation sessions held each year:

- The USDE Office of the Inspector General;
- The Texas Department of Agriculture;
- The Texas State Library and Archives Commission; and
- The Texas Homeless Education Office.

TEA contracts with the Region XIII Education Service Center to store, maintain, and respond to requests for student and staff records of closed charter schools.

Texas Education Code §12.1164 requires the commissioner of education to notify the Teacher Retirement System in writing when a charter closes permanently, when a charter stops receiving state funding, and when a charter that was not receiving state funding begins to receive state funding again. Staff in this division prepares the letters for commissioner review and signature each time any of these events occur.

K. Contracted expenditures made through this Division.

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Possible statutory changes may include provisions that would automatically revoke a charter school based on specific academic performance; reconstitute or remove a governing board, transfer a charter to a different nonprofit corporation that could provide effective governance; or offer incentives to become or create charter schools of a minimum size in an effort to provide greater financial and compliance resources.

When charters have serious problems that require sanctions, they most often stem from lack of oversight by the charter holder governing board, which is the governing board of the non-profit entity that holds the charters. These board members are not elected, and the bylaws that govern these entities often allow for indefinite terms and/or the appointments of new members by majority vote. Members are often very closely tied to one another and to the charter school administrators. Therefore, it is often most difficult to produce meaningful and lasting changes. Giving the commissioner of education the authority to reconstitute the governing body of the charter holder as a sanction could improve the quality of education for the students in charters with serious problems and ensure that state and federal funds going to these entities would be used to provide a quality education for the students.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

In addition to the major activities discussed in Section B, with additional details and data in Section C, the following are division activities that are accomplished on a routine basis, often daily:

- Answering questions about charter schools via phone conversations and emails including general inquiries about Texas charters and questions about starting a charter school in Texas;
- Questions about filing a charter amendment request;
- Preparing data and providing information for agency staff in other divisions ;
- Responding to legislative requests for information and/or data; and
- Scanning documents into the agency electronic filing system.

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

Although the Division of Charter School Administration has no real regulatory authority, when problems are identified through the complaint process, such as governance issues or issues of compliance with the application for charter, that do not impact other divisions with more regulatory authority, letters and calls go back and forth until the division staff is satisfied with compliance with charter requirements. Lack of compliance can delay approval of amendment requests or renewals by the commissioner of education.

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

A. Guide to Agency Programs / Divisions	
Division Number:	360
Division Name:	Regional Services
Division Director:	Philip M. Cochran
Expenditures, FY10:	452,462
Number of FTEs (8/31/10):	4.00

B. What is the objective of this division? Please describe the major activities performed.

The primary objectives of the Division of Regional Services are to (1) provide a primary point of contact and oversight of the 20 Texas regional education service centers (ESCs); (2) manage the commissioner’s waiver authority; (3) serve as the Texas Education Agency’s interface with the Texas Division of Emergency Management (homeland security issues such as hurricanes and other natural and man-made disasters, epidemics, etc.) ; and (4) serve as the principal contact point for school districts dealing with students covered by the Interstate Compact on Educational Opportunity for Military Children.

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

Biennially, through the Regional and District Level Report (TEC 39.333), the commissioner of education reports to the state leadership, the legislature, and the LBB on the performance of the ESCs and provides a biennial statistical analysis of state waivers issued.

Biennially, through the Regional and District Level Report, the commissioner of education reports to the state leadership, the legislature, and the LBB on the numbers and types of waivers granted to school districts and charter schools over the previous biennium.

Annually, the commissioner of education evaluates all 20 regional education service centers and their executive directors. Those evaluations and their results are on file at the Agency. All 20 ESCs and executive directors were approved for another year of operation and employment.

Annually, school districts evaluate the effectiveness and efficiency of the ESCs. The results show an overall rating of exceeds expectations. Those reports are on file at the Texas Education Agency.

Annually, through the Comprehensive Annual Report, the commissioner discloses the number of state waivers granted to the state leadership, the legislature, and the LBB.

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

Originally, established in 1967 as an office of ESC relations, later known as the Division of Education Service Center Support, this division, until 2003, operated with maximum of 3 staff members functioning as the primary contact, program, and funding division for ESCs while managing the commissioner and the agency’s relationship with those centers. Additionally, the division assisted in the decentralization of Agency responsibilities as required in Rider 44 of the 1995 General Appropriations Act by creating

partnerships with the ESCs to manage former agency programs and responsibilities. In 2003, the division was abolished and the functions transferred to the Office of the ESC Liaison within the Office of the Chief Deputy Commissioner. By 2004, the Office of the ESC Liaison became the Division of Education Services and Waivers with the addition of duties concerning the management of the commissioner's waiver authority (TEC 7.056, etc.) and Adult Education. Three additional staff members were added to assist with ESCs, state waivers, and adult education. As a result of Hurricanes Katrina and Rita and their impact on Texas public schools in the fall of 2005, the division took over homeland security issues. In 2009, the 81st Legislature passed Senate Bill 90 making Texas a signatory to the Interstate Compact on Educational Opportunity for Military Children; as a result, the Division of Regional Services was given the assignment of implementing the Compact. That same fall, the agency transferred responsibilities for Adult Education to another division.

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

This division provides direct program and financial services to the 20 regional education service centers. The ESCs are intermediate education agencies with their own governing board of directors and an executive director jointly appointed by the board of directors and the commissioner of education. The executive directors are generally individuals with successful superintendent experience. There are approximately 3,000 employees working for the 20 ESCs.

This division also provides direct assistance to Texas 1,200 independent school districts and charter schools seeking a waiver(s) of the Texas Education Code by the commissioner of education. A waiver is an action of the local board of trustees and must be approved by the local board in a regularly scheduled meeting.

This division also works with the Texas Division of Emergency Management (Department of Public Safety) coordinating transportation and shelter assistance to communities in cases of hurricanes and other natural disasters. Transportation and shelter assistance are coordinated through local school districts. Additionally, the division assists in the provision of health information in conjunction with the Texas Department of Health in cases of epidemic such as the H1N1 flu. In both cases, the division assists with the coordination of relief funding and appropriate administrative assistance such as working with school districts and charter schools in the area of state waivers.

This division provides assistance to military families and works with the Military Interstate Children's Compact Commission relating to school entrance and graduation by providing technical assistance to school districts around the issue of the Interstate Compact on Educational Opportunity for Military Children.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

This division, which is comprised of 4 staff members, is administered by a Division Director. Additionally, a Manager III and a Program Specialist IV are focused on the state waiver process. A Manager II principally works with the business and program offices of the 20 ESCs to provide assistance in the area of budgeting and program administration. The Division Director and Manager III are also focused on

homeland security and military family issues.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

360 Regional Services

Federal Funds	73,904
General Revenue	378,558

360 Regional Services Total **452,462**

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

There are no programs, internal or external to the Texas Education Agency, which provide identical or similar services or functions.

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency’s customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Not Applicable

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

This division works with regional education service centers, which are intermediate education agencies created by the Texas Legislature, to provide administrative and program technical assistance, professional development to school districts and charter schools in order to assist them to operate more effectively and efficiently.

This division works directly with the Texas Department of Public Safety’s Division of Emergency Management in the case of natural disasters.

This division works directly with the Military Interstate Children’s Compact Commission in providing assistance to the children of military families as they enter and graduate from Texas public schools.

This division works directly with the Office of Homeless Children and Youth at the U.S. Department of Education to assist homeless children to enter and stay in Texas public schools.

K. Contracted expenditures made through this Division.

Division Contracts Over 50k - FY10			
Division Number	Description	Contract Amount	Total Expenditures
360	HCDE - ADULT EDUCATION	3,837,900.00	484,292.91
360	TWC-SUPPORT TWIC	103,124.00	30,781.84

L. What statutory changes could be made to assist this program in performing its functions? Explain.

No statutory changes are needed.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

Not Applicable

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

A. Guide to Agency Programs / Divisions	
Division Number:	450
Division Name:	Division of Financial Audits
Division Director:	Rita Chase
Expenditures, FY10:	4,905,428
Number of FTEs (8/31/10):	46.23

B. What is the objective of this division? Please describe the major activities performed.

The purpose of the Division of School Financial Audits is to ensure that public school funds are accounted for in an accurate and appropriate manner. This is accomplished through:

- Conducting average daily attendance audits of school districts and charter schools, to assure accuracy of reports upon which funding is based (TEC 42.255)(19 TAC 109.21 & 129.21)(TEC 12.1163);
- Providing a uniform financial accounting system for school districts, charter schools and education service centers to permit accurate reporting of financial data and respond to legislative and judicial mandates (19 TAC 109.1).
- Producing the **Financial Accountability System Resource Guide** (TEC 44.007 & 7.021(13))(TEC 12.111) (TAC 109.41). This includes desk reviews of annual CPA audit reports for these entities for compliance violations and referring problems to appropriate TEA divisions for resolution (TEC 44.008, 44.010, 7.021(13), TEC 12.111);
- Conducting on-site investigations and/or referrals on fiscal, governance, and general complaint-related matters and apply intervention measures as appropriate (TEC 39.075);
- Conducting on-site visits and desk audits of education service centers in the area of fiscal accountability and program effectiveness (TEC 8.102);
- Providing oversight of bank depository contracts for schools and ESCs to assist these entities in making sure their funds are adequately secured at all times by their banks, thus preventing loss of public school funds(TEC 45.208);
- Conducting desk and on-site investigations, monitoring and auditing activities involving school districts, charter schools, and education service centers in the area of fiscal management and certain compliance matters. (TEC 44.008, 44.010, 34 CFR 76.770, OMB Circular A-133, 34 CFR Part D, 34 CFR Part E);
- Performing compliance audits and reviews of the federal and state discretionary grants and federal formula grants awarded to independent school districts, open-enrollment charter schools, regional education service centers and other grantees to ascertain compliance with federal and state laws, rules and other grant requirements. (34 CFR § 76.770; Part 80, Subpart E; TEC § 44.008); and
- Performing compliance audits and reviews of the American Recovery and Reinvestment Act of 2009, stimulus funds awarded to independent school districts, open-enrollment charter schools, and regional education service centers to ascertain compliance with federal laws, rules and other grant requirements. Perform review of the school’s plans for use of the stimulus funds, internal control system, cash management, reporting and accounting for these funds. (34 CFR § 76.770; Part 80, Subpart E; TEC § 44.008).

- Administering the financial accountability ratings for school districts and open-enrollment charter schools. The system is known as the School Financial Integrity Rating System of Texas (FIRST). The financial accountability rating system is administered in a manner similar to the academic accountability rating system. (TEC §39.082)
- Performing financial analysis on school district and charter school financial data and review the financial solvency reports for ISDs and charter schools in accordance with the new financial solvency rules established by the 81st legislative session. (TEC §39.0822)

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

The total shown on the chart below reflects the audits, investigations, or reviews conducted by auditors in examining the records and/or making on-site observations at local educational entities. The primary purpose of the chart is to present the number and types of programs, areas or documents examined during the 2009-2010 fiscal year.

Type of Activity	Total
Student Attendance Audit	142
Attendance Follow-up	23
Annual Audit Review	1,432
Investigations (On-site)	10
Charter Closure Administrative Oversight	3
CPA Work Paper Reviews	10
Transportation Audits	4
Depository Contracts	260
Superintendent Buyouts	14
Charter School Applications	15
Maintenance of Effort (MOE)	1,224
Grant Audits	57
Grant Reviews	123
Follow-up Audits	8
Indirect Cost Rate Reviews and Calculations	1,005

Adjustments resulting from 2009-2010 attendance desk audits closed as of August 31, 2010, resulted in a net return of \$3,959,332 to the Agency; special investigations resulted in reclaims of \$374,772; transportation audits resulted in adjustments of \$35,690; MOE analysis resulted in questioned costs of \$731,152 and compliance audits and reviews resulted in questioned costs of \$307,937. Adjustments resulting from 2010-2011 attendance desk audits as of June, 2011, resulted in a net return of \$5,832,745 to the Agency; and MOE analysis resulted in questioned costs of \$9,029,434. The adjustments due to other audits and investigations have not been determined at this time for the 2010-2011 year.

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

The recent history of the division in both Full Time Equivalent (FTE) and operational activities is as follows (each fiscal year (FY) reflected below is the twelve-month period ending August 31):

- FY 2000 There were 28 auditors and four support personnel.
- FY 2001 There were 34 auditors and four support personnel. The division added the GASB 34 Module to the Resource Guide.

- FY 2002 There were 34 auditors and four support personnel. The division initiated the Superintendent Buyout agreement reviews, PEIMS data quality desk audits, 85% special program audits, and cash management and follow-up audits.
- FY 2003 There were 34 auditors and four support personnel. The division added the Dropout Module to the Resource Guide. The division initiated review of the state compensatory education agreed-upon procedures report and the dropout agreed-upon procedures report. The division implemented the Financial Integrity Rating System for all school districts.
- FY 2004 There were 41 auditors and four support personnel positions. The division no longer reviewed the dropout agreed-upon procedures report as the report no longer was required by state law. The state compensatory education agreed-upon procedure was based on risk assessment indicators developed by the division.
- FY 2005 There were 38 auditors and four support personnel positions. Additional responsibilities assigned to the Division during the fiscal year involved state and federal grant monitoring. Due to the reorganization of the Agency, the Division was not requested to participate in any multi-departmental compliance monitoring visits in school districts or charter schools.
- FY 2006 There were 38 auditors and four support personnel positions. The Division also reviewed the financial section of the 21 Generation 11 charter school applications received. Also, in response to concerns expressed by the State Auditor's Office regarding disclosure of accreted interest on capital appreciation bonds, the Division performed reasonableness tests on 54 of the approximately 300 school districts with capital appreciation bonds.
- FY 2007 There were 38 auditors and four support personnel positions. Desk audits to assess compliance with rules and regulations involving costs that are charged to the special program areas of the Foundation School Program were postponed in the 2007 fiscal year.
- FY 2008 There were 38 auditors and four support personnel positions. The Financial Accountability System Resource Guide (Resource Guide) was updated during the year.
- FY 2009 There were 46 auditors and four support personnel positions. During the fiscal year 2009, the Division was granted 8 new positions to assist in the monitoring of the American Recovery and Reinvestment Act (ARRA) funds and implementing the financial solvency review required under House Bill 3 for school districts and open-enrollment charter schools. During the fiscal year 2008-2009, a Special Monitoring Unit section was added to the Division to oversee and monitor grants funded under the ARRA of 2009. House Bill 3, 81st Regular Legislative Session, added a provision in TEC §39.0822 that required the agency to develop a review process to anticipate the future financial solvency of each school district. House Bill 3 also made Chapter 39, Subchapter D, Financial Accountability, applicable to open-enrollment charter schools.
- FY 2010 There were 46 auditors and four support personnel positions. During the fiscal year 2010, the Division hired seven auditors to assist in the monitoring of ARRA funds and implementation of the financial solvency review required under House Bill 3 for school districts and open-enrollment charter schools. During the 2009-2010 school year, the Division developed and issued 206 Charter School FIRST reports in compliance with 19 TAC §109.1002(d).

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

The division provides oversight and guidance to superintendents, chief business officials, board members, and other school officials in approximately 1,250 school districts and charter schools and 20

regional education service centers (ESCs) and provides assistance to certified public accountants who audit the schools and ESCs. The 1,270 entities are composed of:

- School Districts 82.3%
- Charter Schools 16.1%
- Regional Education Service Centers 1.6%

In addition, the division provides assistance, as requested, to local district attorney offices in the 254 counties in Texas and assists with the presentation of evidence to grand juries. Assistance in investigations also is provided to the Texas Rangers, the Inspector General Offices for the United States Department of Education and Department of Agriculture, the Federal Bureau of Investigation, United States Attorney General Offices, other state and federal law enforcement officials, and/or other investigative offices. The level of assistance provided to other offices in investigative matters varies each year, and this assistance is provided as requested.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

The director of financial audits reports to the associate commissioner for accreditation and has unrestricted access to report directly to the commissioner of education and the appropriate committee of the state board of education.

The Division currently has six sections that handle the duties listed below:

1. Financial Desk Reviews – reviews the annual financial reports, the state compensatory education agreed upon procedures reports, the depository contracts, superintendent buyout contracts, 85% compliance, review of charter applications/amendments and indirect cost rates;
2. Financial and Compliance Audits – monitor state and federal discretionary and formula grants including audits, investigations, reviews and other monitoring activities, maintenance of effort for NCLB and IDEA, and close- out audits of charter schools;
3. Investigations – on-site investigations, correspondence investigations, transportation audits, CPA work-paper reviews, and follow-up audits;
4. Student Attendance Audits - desk audits of student attendance, on-site investigations of student attendance, follow-up audits, and close out audits of charter schools;
5. Special Grants Monitoring - monitors the American Recovery and Reinvestment Act (ARRA) funds including audits, investigations, reviews and other monitoring activities.
6. Financial Data Analysis - administer the financial accountability ratings for school districts and open-enrollment charter schools. The system is known as the School Financial Integrity Rating System of Texas (FIRST). Perform financial analysis on school district and charter school financial data and review the financial solvency reports for ISDs and charter schools.

The audit plan shown on the following chart for each audit, investigation, or review reflects the period of time spent by auditors in actually examining the records and/or making on-site observations at local educational entities. A primary purpose of the plan is to present the number and types of programs, areas, or documents to be examined, and the time of the year in which examinations are scheduled to be accomplished.

Audit Plan DIVISION OF FINANCIAL AUDITS													
Audit Plan DIVISION OF FINANCIAL AUDITS													
	Number	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
Student Attendance Accounting Systems (ISDs and Charters)	210	[Redacted]											
Student Attendance Accounting Followups (ISDs and Charters)	35	[Redacted]											
Grant Audits, Reviews and Surveys (ISDs, charters, ESCs and other grantees)	200	[Redacted]											
Special Audits & Reviews													
CPA Audit Workpapers (ISDs, Charters and ESCs)	10	[Redacted]											
Maintenance of Effort (ISDs, Charters)	330	[Redacted]											
Special/Criminal Investigations (ISDs, Charters and ESCs)	25	[Redacted]											
Transportation Audits (ISDs and Charters)	5	[Redacted]											
Fiscal/Transportation Audit Followups	15	[Redacted]											
Reporting and Auditing System for State Compensatory Education (ISDs and Charters)	30	[Redacted]											
FSP Reviews	20	[Redacted]											
Superintendent Buyouts	15	[Redacted]											
Financial Solvency Reviews	120	[Redacted]											
Financial Stability Reviews	75	[Redacted]											
Document Review													
Independent Audit Reports (ISDs, Charters and ESCs)	1,265	[Redacted]											
Charter Applications	20	[Redacted]											
Depository Contracts	250	[Redacted]											
Indirect Costs Rate Calculations	1,025	[Redacted]											
Non-Profit Audit Reviews	80	[Redacted]											

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

450 Financial Audits

Federal Funds	776,019
General Revenue	3,990,106
Other Funds	139,304

450 Financial Audits Total 4,905,428

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

The agency's Division of Governance, and Complaints Management is responsible for receiving communications from concerned citizens describing their complaints of perceived problems occurring in school districts. Investigative actions by multiple agency offices are coordinated to the greatest extent practical to reduce the resulting burden on schools.

The division administers a coordinated review of the Annual Financial and Compliance Reports, which

eliminates redundancies in oversight activities in the various offices of the agency involving resolution of the independent auditors' disclosures of noncompliance and review of corrective actions.

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Findings and disclosures in official reports that penal laws have been violated are referred to the appropriate county or district attorney and the attorney general. If fraud is involved, the division notifies the state auditor's office.

LEAs identified by monitoring units for additional coordination and/or action are reviewed by the Monitoring, Investigation, and Interventions Steering Committee (MIISC). MIISC meets weekly and provides a coordinated avenue for representatives across the agency to discuss performance and fiscal issues and propose recommendations to the Commissioner and to other appropriate internal divisions regarding accreditation, interventions, sanctions, special conditions, enforcements, etc.

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

Evidence of violations of laws and disclosures of noncompliance with rules or regulations are forwarded to the appropriate offices in the agency and to other state agencies. Additionally, evidence of violations of the penal code and misappropriation of public funds are referred to appropriate state, federal, and law enforcement offices, including:

State Auditor's Office. The Texas State Auditor's Office (SAO) is the independent auditor for Texas state government. The SAO provides information about the operations of state agencies and universities to legislators, agency management, and the citizens of the state.

Texas Attorney General. The Office of the Attorney General serves as legal counsel to all boards and agencies of state government; issues legal opinions when requested by the governor, heads of state agencies, and other officials and agencies as provided by Texas statutes; sits as an ex-officio member of state committees and commissions; and defends challenges to state laws and suits against both state agencies and individual employees of the state.

Local District Attorneys. The local District Attorney's Office represents the state of Texas in all criminal cases that arise anywhere in the county(ies) of jurisdiction.

Internal Revenue Service (IRS). In support of the overall IRS Mission, the Criminal Investigation Office serves the American public by investigating potential criminal violations of the Internal Revenue Code and related financial crimes in a manner that fosters confidence in the tax system and compliance with the law.

Offices of Inspector General in Federal Agencies. The mission of the regional Offices of Inspector General is to investigate allegations of fraud related to federal government procurement, contracts, and federally funded programs.

Federal Bureau of Investigation. The mission of the Governmental Fraud Program (GFP) is to oversee

the nationwide investigation of allegations of fraud related to federal government procurement, contracts, and federally funded programs.

United States Attorney. United States attorneys conduct most of the trial work in which the United States is a party. The United States attorneys have three statutory responsibilities under the United States Code, Title 28, Section 507:

- the prosecution of criminal cases brought by the federal government;
- the prosecution and defense of civil cases in which the United States is a party; and
- the collection of debts owed the federal governments which are administratively uncollectible.

K. Contracted expenditures made through this Division.

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Not Applicable

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

The statutory and other requirements relating to school audit activities follow:

Financial Accounting Standards

- Review annual audits conducted by certified public accountants (CPAs) of independent school districts (ISDs), educational service centers (ESCs), and open-enrollment charter schools (charter schools) under federal oversight requirements contained in Government Auditing Standards and the Single Audit Act, as implemented pursuant to OMB A-133, to ensure compliance with government auditing standards (34 CFR §76.770; Part 80, Subpart E; TEC, §44.008).
- Review CPA annual audit findings for ISDs, ESCs, and charter school and coordinate activities within the agency for follow-up on CPAs' findings and questioned costs and forward information to other appropriate state and federal agencies (34 CFR §76.770; Part 80, Subpart E; TEC, §44.008).
- Provide information about ISD, ESCs, and charter school financial management standards to non-ISD entities, such as taxpayers, various governmental entities and agencies, and vendors (34 CFR §76.770; Part 80, Subpart E).
- Review budgets, fiscal reports, and audit reports for compliance with all legal requirements (TEC, §44.008; §44.010).
- Implement and communicate regulatory guidance and standards for ISDs, ESCs, and charter schools relating to state and federal requirements for budgets and standard financial accounting system (34 CFR §76.770; Part 80, Subpart E; TEC, §§8.101, 44.002, 44.007).
- Implement and communicate regulatory guidance and standards relating to state and federal requirements for purchasing, such as contracts and competitive bidding (34 CFR §76.770; Part 80, Subpart E; Government Code, Chapter 2254; TEC, §44.031).

- Implement and communicate regulatory guidance and standards relating to state and federal requirements for annual audit requirement of ISDs (34 CFR §76.770; Part 80, Subpart E; TEC, §44.008).
- Implement and communicate requirements for depository bank bid, contract forms, and securities pledged against districts' deposits and maintain contracts and bids executed between districts and selected depositories (TEC, §45.206, §45.208; Government Code, Chapters 2256 and 2257).
- Provide information to CPAs of ISDs, ESCs, and charter schools regarding regulatory interpretations of state and federal laws, rules, and regulations under requirements of U.S. Department of Education (34 CFR §76.770; Part 80, Subpart E).
- Communicate requirements for filing depository contract and maintaining contracts executed between charter schools and selected depository bank (TEC, §12.107(b)).

Special Audits

- Conduct investigations of financial accounting and management practices in ISDs, ESCs, and charter schools (34 CFR §76.770; Part 80, Subpart E; TEC, §8.103, §39.057).
- Investigate allegations made by taxpayers and others against ISDs, charter schools and ESCs concerning noncompliance, fraud, and abuse in use of local, state, and federal funds (34 CFR §76.770; Part 80, Subpart E; TEC, §44.008).

Field Audits and Attendance

- Conduct desk audit process of attendance data to identify misfunded districts and over allocation of attendance data reported through PEIMS; provide appropriate notification of discrepancies of records (TEC, §§44.008, 42.255, 42.258).

O. For each regulatory program, if applicable, please provide complaint information.

450 - Financial Audits Information on Complaints Against Regulated Persons or Entities Fiscal Years 2009 and 2010		
	FY 2009	FY 2010
Total number of complaints against regulated local education agencies	55	77
Number of complaints pending from prior to 2009	1	5
Number of complaints resolved/closed	54	72

A. Guide to Agency Programs / Divisions	
Division Number:	500
Division Name:	Finance
Division Director:	Shirley Beaulieu
Expenditures, FY10:	84,686
Number of FTEs (8/31/10):	1.00

B. What is the objective of this division? Please describe the major activities performed.

The Finance division consists of the Associate Commissioner of Finance/Chief Financial Officer. The Associate Commissioner provides leadership to the School Finance department, the Budget and Operations department, and the Accounting division. The School Finance department consists of the State Funding division which manages the Foundation School Program and the Forecasting and Fiscal Analysis division responsible for preparing legislative fiscal notes and other analyses and reports. The Budget and Operations department manages the divisions of Budget, Purchasing and Contracts, and Agency Infrastructure. The Accounting division maintains the agency's financial system and controls. The goal of finance is to process timely and accurate payments, to produce accurate and reliable financial information, to assist management in effectively allocating resources, and to ensure compliance with all state and federal rules and regulations, including adherence to generally accepted accounting principles.

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

Annual financial report, legislative appropriation request, results of various internal and external audits. Integrated Statewide Administrative System (ISAS) responsible for controlling budgets and issuing payments for a \$20+ billion agency.

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

Implemented ISAS in 1997 – took agency from a batch mainframe accounting system to an integrated PeopleSoft ERP system, including the development of agency specific modules for cash receipts and grant processing (TGIF), along with interfaces to and from other key subsystems such as FSP, which also was rewritten during the past few years. ISAS continually goes through functional and technical upgrades to stay current with enhanced functionality and technology.

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

Department supports entire agency staff through allocating financial resources through the budget process, ordering all goods and services, and processing all payments for payroll and travel. Department supports external vendors through the accounts payable processing and supports school districts and charter schools through payments calculated by the FSP system and interfaced to ISAS for payment and through grant draw downs from the TGIF grant subsystem. Department impacts the legislative process

through the development of the Legislative Appropriations Request and the ongoing development of fiscal notes throughout the legislative session.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

The Associate Commissioner for Finance/CFO provides leadership to the department through three direct reports, the Deputy Associate Commissioner for School Finance, the Deputy Associate Commissioner for Budget and Operations, and the Accounting Director.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

500 Chief Financial Officer

Federal Funds	3,133
General Revenue	75,945
Other Funds	5,608

500 Chief Financial Officer Total 84,686

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

Not Applicable

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Not Applicable

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

Divisions within the Department of Finance interact with school districts and ESCs in the distribution of funds. Interactions with the federal government occur with accounting's daily draw of federal cash and interim financial reporting on federal grants, including Section 1512 ARRA reporting. Budget division prepares and negotiates annual indirect cost rate proposal with USDE.

K. Contracted expenditures made through this Division.

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Not Applicable

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

Not Applicable

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

A. Guide to Agency Programs / Divisions	
Division Number:	501
Division Name:	Office of School Finance
Division Director:	Lisa Dawn-Fisher
Expenditures, FY10:	207,120
Number of FTEs (8/31/10):	2.00

B. What is the objective of this division? Please describe the major activities performed.

This office is responsible for general management oversight of the State Funding (SF) Division and the Forecasting and Fiscal Analysis (FFA) Division. The primary responsibility is to coordinate the activities of the two divisions. The SF Division is primarily responsible for the administration of the Foundation School Program (FSP), which delivers \$16–18 billion in annual payments to more than 1,300 school districts and charter schools that serve almost 5 million students. The primary responsibilities of the FFA Division include preparing financial reports, forecasting student enrollment growth, and producing fiscal notes for proposed legislation.

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

This office primarily oversees the operation and activities of the SF and FFA Divisions.

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

Previously, this office oversaw activities of the SF Division and the Financial Audits Division. The agency underwent a reorganization in 2006 that moved the responsibility for oversight of the Financial Audits Division to another manager in the agency. The FFA Division was created later that year to provide analytical support to the office.

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

The office serves as the primary point of contact for school-finance-related communications with external customers that are not school districts or charter schools, including other state agencies, legislators, and the press. The director of the division serves as the state’s primary witness in school-finance-related litigation.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

This office is a mid-management organization that oversees the operations of the SF and FFA Divisions. Relevant timelines and other programmatic responsibilities are described in the sections covering those units. Although there are no regional or field offices, this office serves as a point of contact for the

regional education service centers (RESCs) and provides training and technical assistance at those locations.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

501 School Finance	
Federal Funds	23,498
General Revenue	183,622
501 School Finance Total	207,120

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

None.

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Not Applicable

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

This office has frequent contact with school districts and RESCs, though primary programmatic responsibility lies within the SF and FFA Divisions.

K. Contracted expenditures made through this Division.

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

General rule making authority for the administration of the FSP would improve the efficiency and effectiveness of the agency's activities related to the administration of that program.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

Not Applicable

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

A. Guide to Agency Programs / Divisions	
Division Number:	502
Division Name:	State Funding
Division Director:	Helen Daniels
Expenditures, FY10:	1,455,249
Number of FTEs (8/31/10):	18.26

B. What is the objective of this division? Please describe the major activities performed.

The division is responsible for all administrative aspects of the Foundation School Program (FSP). Primary duties include supervision and control of allocations and payments to public school districts, including charter schools, and administration of the recapture of local property taxes as required by the Texas Education Code, Chapter 41. This division also calculates transportation allotments and administers the School Bus Seat Belt Grant Program. It administers the Instructional Facilities Allotment, Existing Debt Allotment, and New Instructional Facility Allotment programs; provides technical expertise for school facilities standards; and processes Bond Guarantee Program and Science Laboratory Grant Program applications. The division is responsible for the administration of supplemental payments to tax increment reinvestment zones and tax credits for value limitations under the Texas Tax Code, Chapter 313. It is also responsible for administering the Optional Flexible School Day Program and the Optional Flexible Year Program.

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

FSP payments for operations FY 2011:
 The division processes monthly payment runs each month that deliver \$16 billion in annual funding to 1,304 school districts and charter schools. The number of payments per month ranges between 356 and 1,304 depending on the month of the year.

FSP payments for facilities and transportation FY 2011:
 This fiscal year, 462 school districts received \$313,652,368 through the Instructional Facilities Allotment, and 410 school districts earned \$327,294,404 through the Existing Debt Allotment. A total of 877 payments were issued for facilities.

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

The functions of the State Funding Division have changed little over the years in their overall purpose. However, the operational aspects of the division have changed somewhat with the increased use of technology. In the past year the division has migrated its FSP payments from a mainframe environment to a Unix environment and substantially implemented a rewrite of the software that generates payments.

Funding formulas are increasingly complex, and since the last Sunset review, the division has been tasked with several new programs, including the Optional Flexible School Day Program, the Optional

Flexible Year Program, and the Staff Salary Allotment.

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

In FY 2011, the division funded 1,304 school districts, including 1,024 that are traditional school districts with tax bases, 206 that are charter schools, and 74 that are special school districts that are part of the Texas Youth Commission, military school districts, or other types of special-purpose school districts. Collectively, these schools serve almost five million students.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

The division receives data from school districts, the Texas Comptroller of Public Accounts, the Texas Department of Agriculture, and the Municipal Advisory Council of Texas. Program staff members compile and analyze these data and then use them to calculate and distribute the amount of state funding to which each entity is entitled by law. The division also delivers training at regional educational service centers, professional association conferences, and meetings across the state.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

502 State Funding

General Revenue	1,455,249
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502 State Funding Total	1,455,249
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H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

Not Applicable

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Not Applicable

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

The division works with school districts and charter schools that receive funds from the state. The division also works with regional education service centers to provide technical assistance and training.

K. Contracted expenditures made through this Division.

Division Contracts Over 50k - FY10			
Division Number	Description	Contract Amount	Total Expenditures
502	PROVIDE FUNDS TO DARS ECI SERV	32,996,204.00	16,498,102.00

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Not Applicable

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

Not Applicable

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

A. Guide to Agency Programs / Divisions	
Division Number:	503
Division Name:	Forecasting and Fiscal Analysis
Division Director:	Belinda Dyer
Expenditures, FY10:	548,472
Number of FTEs (8/31/10):	6.00

B. What is the objective of this division? Please describe the major activities performed.

The division analyzes the cost implications of legislation and produces legislative fiscal notes, prepares federally mandated financial reports, forecasts student populations, estimates the cost of the Foundation School Program (FSP), forecasts school district and charter school financial solvency, maintains the Bus Accident Reporting System, estimates the impact to school districts of proposed tax abatements granted under Chapter 313 of the Texas Tax Code, and administers the *Student Attendance Accounting Handbook (SAAH)*. The division also provides analytic support to the Office of School Finance, including the analysis and reporting of performance measurement data for the FSP, and reviews fiscal impact statements for all agency rule adoptions. This division also responds to numerous ad hoc requests for information (RFIs) and public information requests (PIRs) on a daily basis.

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

- FY 2011 – 71 PIRs as of June 17, 2011
- FY 2011 – 308 RFIs as of June 17, 2011
- FY 2011 – 24 fiscal impact reviews for proposed Texas Administrative Code rules or rule amendments
- FY 2011 – 15 reviews of the fiscal impact to school districts of proposed projects related to property value limitation requests under the Texas Tax Code, Chapter 313
- FY 2011 – 397 fiscal note requests for the 82nd Legislature, Regular Session
- FY 2011 – 6 fiscal note requests for the 82nd Legislature, First Called Session

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

The division was created in 2006 to provide analytical support for the Office of School Finance. The division’s functions have expanded over time to accommodate new school-finance-related legislative mandates.

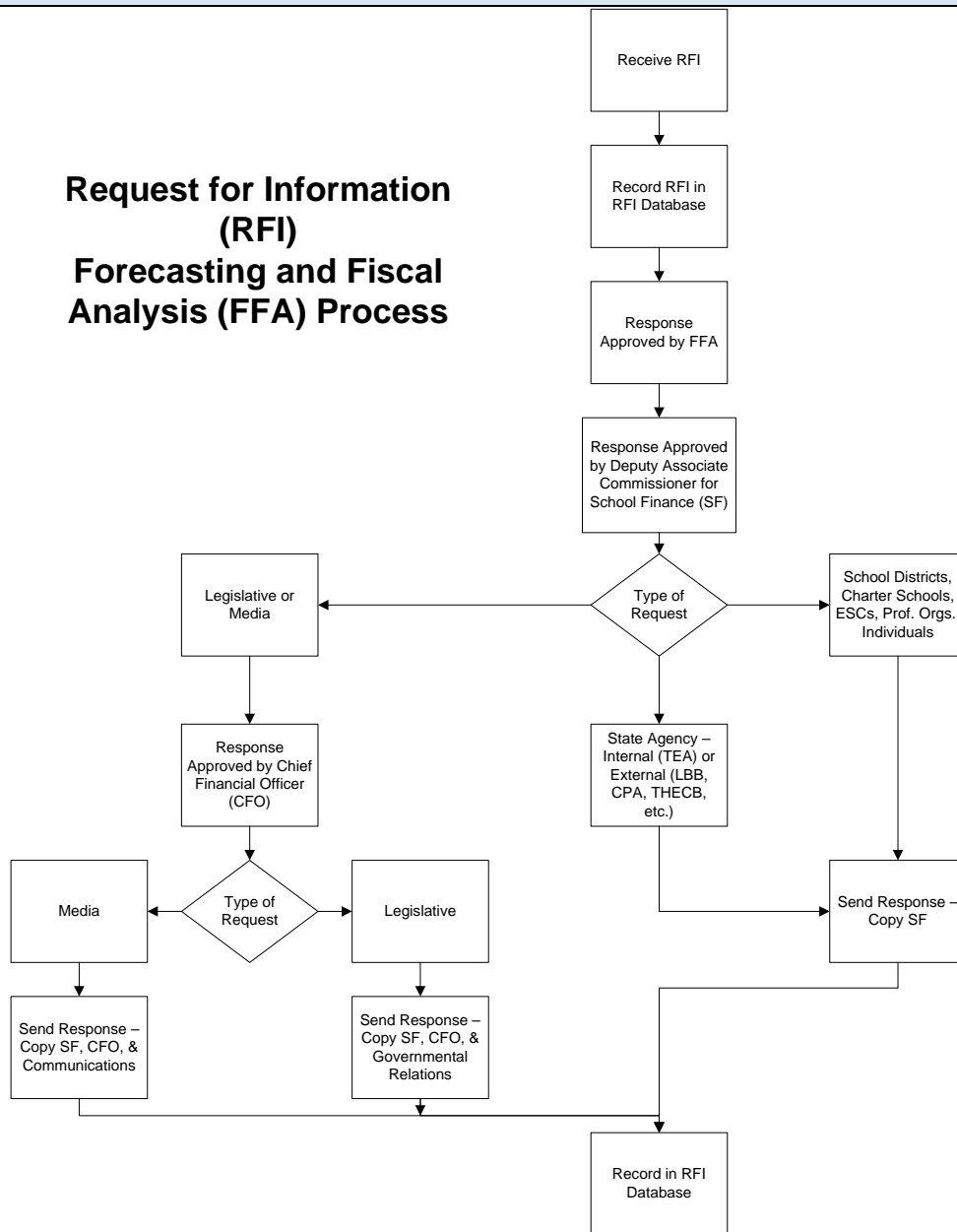
E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

The primary entities affected by the operations of the division are school districts and open-enrollment charter schools. The pupil projections developed by the division are provided to the Legislative Budget Board and are used in the state biennial budget process. These projections are also used to calculate state aid for the purpose of making payments throughout the school year until actual data are received. The financial solvency calculations are used to determine the subset of school districts and open-

enrollment charter schools that will be subject to further review by the Financial Audits Division to determine potential insolvency. The division provides student attendance accounting procedures and support to regional education service centers, school districts, and open-enrollment charter schools to ensure compliance with statute and rule to receive state funding. The division provides the Texas Comptroller of Public Accounts with reviews of the fiscal impact to school districts of proposed projects related to property value limitation requests under the Texas Tax Code, Chapter 313.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

**Request for Information
(RFI)
Forecasting and Fiscal
Analysis (FFA) Process**



This RFI flowchart is an example of just one of the functions performed by the division.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

503 Forecasting & Fiscal Analysis

Federal Funds	229,261
General Revenue	319,211
503 Forecasting & Fiscal Analysis Total	548,472

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

The Texas Department of Public Safety (DPS) School Bus Transportation Program collects school bus accident reports for school buses with advertisements. Similar data are collected in the Bus Accident Reporting System; however, the data collected by the Texas Education Agency (TEA) are not as detailed and include all school buses, not just buses with advertising. The Texas Department of Transportation (TxDOT) collects traffic crash data that include detailed data from crash reports submitted by law enforcement officers and drivers for all types of vehicles, including school buses.

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency’s customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The activities of the TEA are not coordinated with those of the Texas DPS or TxDOT.

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

United States Census Bureau – The division provides the data for submission of the annual National Public Education Financial Survey (NPEFS) authorized by Section 153(a)(1)(1) of the Education Sciences Reform Act of 2002 (Public Law 107-279) 20 United States Code 9543. The fiscal education data collected in the NPEFS are used to calculate a state per-pupil expenditure amount that is used in the formula for allocating a number of federal program funds to states and school districts, including Title I of the No Child Left Behind Act of 2001, a reauthorization of the Elementary and Secondary Education Act of 1965; Impact Aid; and Indian Education. The division provides data for the submission of the F-33 annual survey of local government finances (OMB No. 0607-0700).

Legislative Budget Board (LBB) – The division provides pupil projections and tax rates as required by the Texas Education Code, §42.254, by March 1 of odd-numbered years and fiscal notes for proposed legislation related to education as requested by the LBB. The division aligns its school finance models for projecting costs of the FSP with the models of the LBB.

Texas Comptroller of Public Accounts – The division provides reviews of the fiscal impact to school districts of proposed projects related to property value limitation requests under the Texas Tax Code, Chapter 313.

Regional education service centers, school districts, and open-enrollment charter schools – The division provides financial data, procedures for student attendance accounting, responses to attendance accounting questions, and technical assistance with submission of data used for financial solvency, pupil projections, bus accident reporting, and other surveys or data collections as required.

K. Contracted expenditures made through this Division.

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Not Applicable

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

Not Applicable

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

A. Guide to Agency Programs / Divisions	
Division Number:	510
Division Name:	Finance and Administration
Deputy Commissioner:	Adam Jones
Expenditures, FY10:	520,616
Number of FTEs (8/31/10):	4.00

B. What is the objective of this division? Please describe the major activities performed.

The Finance and Administration Division runs the day-to-day business operations of the agency. The Deputy Commissioner for Finance and Administration serves as the agency’s Chief Operating Officer and its Chief Information Officer, providing leadership and executive oversight over fiduciary functions (including budget, accounting, contracts/purchasing, school finance and grants administration), information technology management issues relating to hardware, software and management of information technology projects, organization development and human resources, and the Texas Student Data System Project. The Deputy Commissioner represents the Commissioner of Education before all legislative budget and finance committees and sub-committees and is also the DIR designated information resource manager.

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

See individual sections for Divisions that report to this office:

- 500 Chief Financial Officer
- 501 School Finance
- 502 State Funding
- 503 Forecasting & Fiscal Analysis
- 511 Human Resources
- 512 Budget
- 513 Finance / Chief Financial Officer
- 514 Purchasing and Contracts
- 516 Agency Infrastructure
- 517 Accounting
- 518 Organization Development
- 550 Ombuds Office
- 603 Enterprise Data Management
- 611 Information Technology Services (ITS)
- 616 Statewide Data Initiatives
- 701 Planning, Grants, and Evaluation
- 702 Office for Grants and Evaluation
- 705 Division of Evaluation, Analysis and Planning
- 711 Discretionary Grants Administration
- 712 Formula Grants Administration

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

Not Applicable

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

Not Applicable

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

Provides leadership and oversight for Divisions listed in Question C. Reports directly to the Commissioner of Education.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

510 Finance and Administration

Federal Funds	143,338
General Revenue	369,410
Other Funds	7,869

510 Finance and Administration Total 520,616

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

Not Applicable

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Not Applicable

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

Not Applicable

K. Contracted expenditures made through this Division.

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

See individual sections provided by reporting divisions and Section IX: Policy Issues.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

Not Applicable

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

A. Guide to Agency Programs / Divisions	
Division Number:	511
Division Name:	Human Resources
Division Director:	Harvester Pope
Expenditures, FY10:	738,439
Number of FTEs (8/31/10):	8.14

B. What is the objective of this division? Please describe the major activities performed.

The objective of the Human Resources Division is to develop and administer all aspects of comprehensive human resources systems. Focus is to provide quality customer service to our internal and external customer; recruit qualified applicants; and retain a capable and committed workforce that is strategically focused to provide leadership, guidance, and resources to help schools meet the educational needs of all students. Major activities include providing oversight and managing agency functions listed below:

- selection and employment
- EEO, ADA, ADEA, FLSA
- employee orientation
- employee services
- employee relations
- classification and compensation
- position control
- performance appraisal
- workforce planning
- benefits and workers' compensation
- employee assistance program
- HR counseling and mediation
- leave administration
- HR automation and support services
- awards and recognition programs
- transition and reduction in force activities
- development of HR policies and procedures

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

OC 2.3.5 TEA Turnover Rate: TEA's target for FY2010 turnover rate was 10%. TEA achieved a turnover rate of 9% to maintain a stable and consistent workforce.

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

Not Applicable

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

The division impacts all TEA employees through certain workforce initiatives. More specific parts of the agency (i.e. a division, department, associateship) are impacted with direct work provided by Human Resources through hiring, compensation, award recognition, counseling, mediation, termination, etc.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

Internal consulting is provided on an as requested or as-directed basis with varying time lengths based on scope. Internal improvement initiatives are provided as directed by management with varying time lengths based on scope.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

511 Human Resources

General Revenue	667,087
Other Funds	71,353

511 Human Resources Total	738,439
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H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

There are no internal equivalents to our program. The external equivalents would include Human Resource Consulting firms, Performance Improvement Consulting firms, and a wide range of firms as well as other state agencies offering on-site and on-line services.

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Not Applicable

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

Not Applicable

K. Contracted expenditures made through this Division.

Division Contracts Over 50k - FY10			
Division Number	Description	Contract Amount	Total Expenditures
511	EMPLOYEE ASSISTANCE PROGRAM	62,585.00	14,842.80

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Not Applicable

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

Not Applicable

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

A. Guide to Agency Programs / Divisions	
Division Number:	512
Division Name:	Budget
Division Director:	Douglas W. Noren
Expenditures, FY10:	773,742
Number of FTEs (8/31/10):	9.67

B. What is the objective of this division? Please describe the major activities performed.

The Budget Division is responsible for the timely and efficient management of TEA's program and administrative budget and provides analysis to senior management relating to resource allocation decisions. The division's activities include:

- Preparation of the biennial legislative appropriations request and the itemized operating budget in accordance with TEA's strategic plan;
- Monitoring and maintenance of TEA's program and administrative budgets;
- Preparation and negotiation of the annual federal indirect cost proposal; and
- Management of the TEA's authorized position staffing patterns.

To accomplish these activities, the division plays an active role in the analysis, design, and implementation of automated systems dealing with budget preparation, federal time and effort reporting, revenue analysis, cost allocation, and budgetary control within the Integrated Statewide Administrative System (ISAS).

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

The Budget Section can provide completed reports such as the biennial legislative appropriations request (LAR), itemized operating budget (IOB), agency's internal budget book, indirect cost rate proposals, and various monthly monitoring reports measuring the agency's financial/FTE/fee revenue collection status.

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

Not Applicable

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

The Budget Section serves a variety of internal and external customers by providing relevant and reliable financial information to the users on a timely basis. The analyses provided internally to senior TEA management and other cost center users directly impacts their resource allocation decisions. The section often provides information to external oversight agencies and outside customers such as the Legislative Budget Board, Comptroller of Public Accounts, State Auditor's Office, Governor's Office of Budget & Planning, various federal agencies such as the U.S. Department of Education and also to the

general public and outside vendors.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

The Budget Section is composed of ten employees. It is administered by one Budget Director, and two Budget Managers. One Budget Manager supervises three Budget Analysts and is responsible for the oversight of the Program Division budgets. The other Budget Manager supervises four Budget Analysts and is responsible for the oversight of the Administrative Division budgets. Due to recent legislative appropriation reductions, the existing structure may be compressed and/or reduced.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

512 Budget	
General Revenue	699,705
Other Funds	74,038
512 Budget Total	773,742

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

There are no programs internal to the agency which provides similar functions as the Budget Division. However, there are multiple external agencies that provide similar functions in the form of providing financial oversight of highly summarized TEA financial information as compiled and submitted by the Budget Division.

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Not Applicable

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

The Federal Government awards multiple grants of monies to TEA for the administration and support of education programs. These federal grant award programs are primarily administered by various TEA Divisions, who receive indirect financial assistance from the Budget Section largely from the creation of financial budgets of the monies granted for these programs and the periodic monitoring that follows. However, the Budget Section works directly with federal units such as the U.S. Department of Education when submitting indirect cost rate proposals.

K. Contracted expenditures made through this Division.

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Current statutes, appropriation acts, riders, and backup support assistance as provided by oversight agency personnel are currently sufficient in assisting this program to performing its assigned functions.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

Not Applicable

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

A. Guide to Agency Programs / Divisions	
Division Number:	513
Division Name:	Budget & Operations
Division Director:	Reggie Pegues
Expenditures, FY10:	338,901
Number of FTEs (8/31/10):	3.73

B. What is the objective of this division? Please describe the major activities performed.

The Budget and Operations division consists of the Deputy chief financial officer, who provides leadership and support to the divisions of Budget, Purchasing and Contracts, and Agency Infrastructure.

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

This division is responsible for the oversight and timely submission of various statutorily required reports to oversight agencies including the Legislative Budget Board, Comptroller of Public Accounts and the Governor’s Office.

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

The Budget and Operations was created in Fiscal year 2010 when the Budget Division, Purchasing division, Financial Projects unit and the Agency Infrastructure division were consolidated under the Deputy Associate Commissioner for Finance.

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

As an administrative support division, these functions primarily impact the agency's employees, vendors and state oversight entities such as the Governor's Office, the Legislative Budget Board, and the Comptroller of Public Accounts.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

The Budget and Operations division operates in accordance with statutory requirements regarding state agency administrative support services.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

513 Budget & Operations

General Revenue	327,212
Other Funds	11,690
513 Budget & Operations	338,901

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

Every state agency has administrative service functions similar to those provided at TEA.

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency’s customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Not Applicable

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

The Budget Division works with federal units of government, primarily the United States Department of Education.

K. Contracted expenditures made through this Division.

Division Contracts Over 50k - FY10			
Division Number	Description	Contract Amount	Total Expenditures
513	CPA - REVIEW TX SCHOOL DIST RESOURCE ALLOCATION	1,375,000.00	1,375,000.00
513	OUTSIDE COUNSEL - IP	117,000.00	4,802.88

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Not Applicable

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

Not Applicable

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

A. Guide to Agency Programs / Divisions	
Division Number:	514
Division Name:	Purchasing and Contracts
Division Director:	Norma Barrera
Expenditures, FY10:	746,079
Number of FTEs (8/31/10):	11.94

B. What is the objective of this division? Please describe the major activities performed.

The Division of Purchasing and Contracts is responsible for the following agency support services: purchasing, supply & receiving, contract management, intellectual property & copyrights, and Historically Underutilized Business (HUB) Coordination. This support will serve the mission of TEA to procure the highest quality goods and services to continue to assist TEA staff in their support and oversight of the Texas public and charter schools.

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

Improvements to the Texas Education Agency contract development and administration process began with a careful analysis of the business process that incorporated suggestions from agency staff members as well as findings from internal audits.

- Delineating a clear statement of accountability and designating roles and responsibilities for key tasks.
- Using available technologies to streamline and automate the process, including using Integrated Statewide Administrative System (ISAS) requisitions to manage financial approvals and posting contract-tracking logs on the iTEA site to allow programs to see the status of their contracts.
- Developing new forms and tools to support improved submission of requisitions and approvals, including a *Contract Risk Assessment Worksheet* for use by programs, and eliminating unnecessary forms.
- Adding a kickoff meeting at the beginning of the process, which can be required based on the risk identified by the program/division on the *Contract Risk Assessment Worksheet*, which provides better up-front knowledge about contract risks.
- Providing programs with more effective access to information on Purchasing and Contracts' iTEA site by developing separate user guides for program areas and the Contracts staff, as well as providing quick-reference guides and frequently asked questions.

This design provides the TEA with a process that is more easily managed and that produces better quality contracts. It also provides programs with user-friendly tools and allows the Purchasing and Contracts staff to focus more effectively on high-risk procurements of contracted services.

The agency processed approximately 300 competitive and noncompetitive contracts for a total of \$170M in state and federal funds last fiscal year. Approximately 1500 purchase orders were issued for goods and services utilizing statewide mandated contracts. Between 2005 and 2010, the dollar value of contracts managed by TEA has increased by 35% and the average value of contracts has increased from \$250,000 to \$425,000 during this period.

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

During the past few years, the Texas Education Agency has experienced increasing demands for effective contract management processes. The Purchasing and Contracts division with management support undertook an initiative to improve the effectiveness and efficiency of contract development functions. The division has developed a Contract Development and Administration Manual and provides training to program staff involved in developing, evaluating, and managing contracts.

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

The division affects Texas public and charter schools as well as internal stakeholders. Competitive solicitations include approved vendor services and products; evaluation of state and federal grants; student assessments; educator certifications; Braille and large print textbooks, and audio textbooks and equipment to play the audio textbooks.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

The division is made up of three sections; purchasing, contracts, and supply and receiving. The Purchasing staff procures office supplies, temporary services, staff augmentation, office furniture from state mandated contracts through the Department of Information Resources (DIR), the Comptroller of Public Accounts, Texas Procurement and Support Services (TPASS), and the Council on Competitive Government (CCG).

The Contracts staff facilitates the development of competitive solicitations and contracts, the encumbrance of funds, and the management of contracts.

The Supply and Receiving staff ensure all goods are received, inspected, inventoried, and disseminated to appropriate agency division staff. Agency divisions may order office supplies through the Supply Store for immediate use.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

514 Purchasing and Contracts

General Revenue	675,736
Other Funds	70,343

514 Purchasing and Contracts Total	746,079
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H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

The majority of state agencies have purchasing and/or contract divisions to award and manage agency

contracts. The majority of TEA contracts are for services related to different aspects of education affecting K-12 Texas public and charter schools. This is unique to the agency. The agency does not purchase large volumes of commodities (equipment, food, vehicles etc.) or building construction services.

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The staff submits all competitive solicitations over \$100,000 to the TPASS unit at the CPA for review and delegation authority. This review also includes the CPA determining if the needed services may be applicable to other state agencies in order to establish enterprise contracts for commonly purchased goods and services.

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

While the division does not work directly with units of government, the division functions are audited by regulatory state and federal entities.

K. Contracted expenditures made through this Division.

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

None. The state of Texas Procurement statutes, rules, and policies are mature and cover training, contracting, and procurement processes fairly well.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

The State of Texas requires all procurement/purchasing staff are required to attend state approved training and obtain certification to purchase on behalf of the agency. All agency purchasing and contract staff currently holds applicable certifications.

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

Not Applicable

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

A. Guide to Agency Programs / Divisions	
Division Number:	516
Division Name:	Agency Infrastructure
Division Director:	Linda Kemp
Expenditures, FY10:	1,555,607
Number of FTEs (8/31/10):	10.00

B. What is the objective of this division? Please describe the major activities performed.

The Agency Infrastructure Division is responsible for internal customer service and administrative support services. Division functions include: asset management, mailing operations, publications distribution, facilities support and space management including warehouse services, printing services, agency professional library, and telecommunications. The division is also responsible for risk management, records management, safety and security, employee identification cards and state parking registration.

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

Not Applicable

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

These administrative services have historically been necessary to the operations of TEA and have been an integral part of supporting the agency's functions. The Agency Infrastructure Division (under a variety of previous names) has provided internal customer service and administrative support to agency employees since the agency was created in 1949.

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

Functions performed by the Agency Infrastructure Division directly affect all agency employees. These internal services are provided to support all infrastructure needs of the agency.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

The division is administered under a director assisted by unit managers. The agency's internal Operating Procedures include several procedures for which this division is the Point of Contact, e.g. asset management, printing, telephone system.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

516 Agency Infrastructure

General Revenue	1,416,747
Other Funds	138,860

516 Agency Infrastructure Total	1,555,607
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H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

Not Applicable

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency’s customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Not Applicable

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

Not Applicable

K. Contracted expenditures made through this Division.

Division Contracts Over 50k - FY10			
Division Number	Description	Contract Amount	Total Expenditures
516	VIDEO & AUDIO RECORDING OF SBOE MEETINGS	228,700.00	105,200.00

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Not Applicable

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

Not Applicable

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

A. Guide to Agency Programs / Divisions	
Division Number:	517
Division Name:	Accounting
Division Director:	Ai-Ching Reed
Expenditures, FY10:	2,999,361
Number of FTEs (8/31/10):	24.50

B. What is the objective of this division? Please describe the major activities performed.

The Accounting division administers a system of internal controls to ensure all purchase orders, contracts, allocations to sub-grantees, and payments to vendors, school districts, agency employees' salaries, benefits, tax deductions, and travel are processed in accordance with the General Appropriations Act (GAA) and the state and federal laws or regulations.

Accounting maintains control over cash and appropriation balances through monthly reconciliations and internal reports. The division reconciles expenditures and revenues in ISAS to Federal agency reports, and it monitors grant balances. In addition, the division prepares various financial reports for compliance with state and federal laws and regulations and for internal management purposes.

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

The agency's financial reports are audited by the State Auditor's Office (SAO) and the KPMG auditors for compliance and accuracy annually. The SAO annual financial report audit had no findings for many years which provided evidence for the adequacy of the internal controls and accuracy of the financial recordkeeping as well as compliance with the state and federal laws and regulations.

The State Comptroller's office has conducted several post payment audits of the agency which has also resulted in good reports. TEA has a great reputation with the Fiscal Management division of the State Comptroller's office as well as the State Auditor's Office.

In May 2011, SAO has just completed its audit on the agency fiscal year 2010 payables and encumbrance reports with no findings. Auditors from the SAO have expressed great appreciation for TEA's financial systems which are well designed and integrated with many sub-systems for easy tracking and provide great detail audit trails.

TEA has consistently met the reporting deadlines for all State and Federal required reports. Travel vouchers are processed within 3-5 business days and purchase vouchers are processed within the Prompt Payment Act deadline.

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

There is no service or function changed from the original intent. However, there are system changes. The most important change was the change of the agency's internal accounting system and the grant

systems. The major financial system change took place in November 1997 when the agency changed from an old legacy mainframe system to a client server system (modified PeopleSoft Financial system, Integrated Statewide Administrative System- ISAS). The entire accounting recordkeeping, reporting, various budget ledger controls and tracking as well as the grant management system were totally transformed. It was a giant leap. Users can now access on-line real time information and data can be extracted to reports or to Excel through the query tool and the Crystal report.

Another big change occurred when ISAS upgraded from a client server system to a web based system in January 2004. Thereafter, the agency has continued with many upgrades and continued to improve the systems by adding additional feature and functions, designed and implemented new sub-systems and new modules to further enhance the systems.

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

All agency staff, contractors, vendors, as well as sub-grantees including other agencies, school districts, Charter schools and other non-governmental entities are affected by Accounting's operations.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

The Director of the Accounting division reports to the agency's Chief Financial Officer (CFO) and leads the division which comprises five sections; Financial Reporting section, Payroll and Travel section, Cash Management section, Accounts Payable section and ISAS System Support section. Each section has a team lead who supervises 3-5 employees. All team leads report to the Director of Accounting. There is one Administrative Assistant who supports both Accounting division and the agency's CFO.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

517 Accounting

Federal Funds	782,851
General Revenue	1,982,387
Other Funds	234,123

517 Accounting Total 2,999,361

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

Permanent School Fund (PSF) has an Accounting unit which is responsible for recordkeeping for all investment activities made with the PSF fund (fund code 0044). The PSF Accounting section prepares a part of Annual Financial Report for Fund 0044 investment activities and investment related notes, and forwards the information to Accounting division to be incorporated into the agency's final Annual Financial Report (AFR).

There is independent audit performed for the PSF portion of the annual financial report. Detail investment activities are recorded in a separate investment accounting system –Complete Asset Management, Reporting and Accounting System (CAMRA), but summary information is recorded in ISAS and interfaced to USAS. CAMRA is an investment accounting system which is very different from ISAS, a modified PeopleSoft Oracle financial system.

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency’s customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The nature of the accounting activities and the design of the systems as well as and the customers being served by the agency’s Accounting division and the PSF Accounting section are very different. There is no duplication of effort. Summary investment information are entered in ISAS and interfaced to USAS.

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

Accounting division performs daily cash draw down from the federal grantor agencies’ cash systems, and prepares and submit federal grant financial reports and cash reports to the federal grantor agencies. The grantor agencies (USDE – U S Department of Education, USDA – U S Department of Agriculture and etc.) perform on-site visit and audit to ensure that grants received by the agency are administered in accordance with the grant award and the federal grant guidelines.

K. Contracted expenditures made through this Division.

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Currently, Accounting division prepares many ARRA reports including weekly ARRA report to the Comptroller’s office, monthly ARRA report to LBB, monthly ARRA report to Governor’s Office, and federally required ARRA Section 1512 report. Each requires different information and format. It would be simplified if one report can be generated to be used by various governmental entities. Since the Section 1512 report is federally required report, it could be used as the basic report.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

Not Applicable

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

A. Guide to Agency Programs / Divisions	
Division Number:	518
Division Name:	Organization Development
Division Director:	Tom Shindell
Expenditures, FY10:	677,854
Number of FTEs (8/31/10):	7.00

B. What is the objective of this division? Please describe the major activities performed.

Oversight responsibility for Division of Human Resources and the Office of Organizational Effectiveness. Focus is on improving the “people” part of TEA with agency-wide activities to support a healthy, productive, effective work environment and culture. Major activities include providing:

- required training for agency staff and developmental training for managers and employees
- internal consulting and advisory services to agency management and staff on a wide range of topics and issues
- internal consulting and advisory support for divisional, departmental, and agency-wide improvement initiatives

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

While there are no key statistics or direct performance measures, the Division of Organization Development has been a guiding force in many improvement activities that impact overall agency performance including 1) reviewing and improving process in such areas as grants, contracting, and purchasing, 2) facilitating the development of strategic plans in such areas as School Readiness and Partnerships, School Health and Safety, and Communities in Schools, 3) training over 150 agency managers to be more efficient and effective, 4) reviewing and restructuring various divisions within the agency including Discretionary Grants, Curriculum, and Information Technology which are reflected in indirect performance measures such as the Survey of Employee Engagement which noted a dramatic increase in overall employee satisfaction with managerial supervision impacted by the management training initiative.

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

Organization development grew out of the prior training department (staff of 2) and office of organizational effectiveness (staff of 1) into a slightly larger division. The goals and purpose have remained constant.

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

The division impacts all TEA employees through required training and certain agency-wide initiatives. More specific parts of the agency (i.e. a division, department, associateship) are impacted with direct

work provided by Organization Development staff (process reengineering, restructuring, etc.).

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

- Training is provided both in class room and on-line formats that range in length from 20 minutes to two full days
- Internal consulting is provided on an as requested or as-directed basis with varying time lengths based on scope
- Internal improvement initiatives are provided as directed by management with varying time lengths based on scope

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

518 Organization Development

General Revenue	611,527
Other Funds	66,326

518 Organization Development Total	677,854
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H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

There are no internal equivalents to our program. The external equivalents would include Human Resource Consulting firms, Organization Development Consulting firms, Performance Improvement Consulting firms, and a wide range of firms as well as other state agencies offering on-site and on-line training and learning products and services. Actual courses and content vary from agency to agency.

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Not Applicable

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

Not Applicable

K. Contracted expenditures made through this Division.

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Not Applicable

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

Not Applicable

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

A. Guide to Agency Programs / Divisions	
Division Number:	550
Division Name:	Ombuds Office
Division Director:	Emi Johnson
Expenditures, FY10:	<i>Not Applicable</i>
Number of FTEs (8/31/10):	<i>Not Applicable</i>

B. What is the objective of this division? Please describe the major activities performed.

1. Oversee Open Records Requests - Ensure Agency implementation and compliance with Section 552 of the Texas Government Code - Public Information Act.

2. Coordinate Special Accreditation Investigation of Administration of Statewide Assessment - Coordinate special onsite audits to monitor the administration of Texas Assessment of Knowledge and Skills (TAKS) tests in public schools under Sections 39.056-058, 39.102, and 39.0301 of the Texas Education Code.

3. Coordinate Correspondence and Complaints -

- Resolution of complaints concerning federal and state education program requirements.
- Resolution of complaints under Chapter 2114 of the Texas Government Code - Compact with Texans.
- Agency Liaison to other state and federal investigative offices (i.e., Office for Civil Rights, Office of Inspector General, and State Auditor's Office).

4. Investigate - EEO and ADA complaints filed against the Agency or its employees, and assist the Internal Auditor investigate allegations of fraud.

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

Performance Measures:

- Respond to written requests, including open records requests within 10 business days.
- No open records complaints have been filed with the Office of Attorney General against the Agency within the past four years.
- All Compact with Texan complaints have been resolved within 60 calendar days, per Agency policy.

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

In 2006, the Division included the "Inspector General" in its name, which has since changed to the Ombuds Office. The Open Records activity was added to the Division in spring 2011.

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

The Division's activities (1) affects all internal offices of the Agency; (2) impacts the SAO, OCR, and Educational OIG; and (3) customer service.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

The Division ensures Agency implementation and compliance under the following Agency OPs which are specific to this Division:

- OP 03-03 Open Records-PIA
- OP 03-01 Commissioner Correspondence
- OP 04-01 Complaints Management
- OP 07-39 Compact with Texans
- OP 03-05 Reporting Child Abuse
- OP 07-17 Nondiscrimination Policy

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

* Illustrated in Section V, H, indexed by division number.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

None. This Division serves to centralize the coordination of the activities.

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The Agency has an MOU with the Office for Civil Rights to avoid duplication or conflict in the resolution of complaints concerning Texas public schools.

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

The Division primarily coordinates and cooperates with the following entities in the resolution of complaint investigations and audits of educational programs.

- Educational OIG
- State Auditor's Office
- Office for Civil Rights, Department of Education

K. Contracted expenditures made through this Division.

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Not Applicable

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

The Division ensures the implementation of procedures for handling consumer/public complaints against regulated entities. The complaint process is accessible from the Agency's public website.

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

A. Guide to Agency Programs / Divisions	
Division Number:	600
Division Name:	Assessment, Accountability, and Data Quality
Associate Commissioner:	Criss Cloudt
Expenditures, FY10:	401,129
Number of FTEs (8/31/10):	3.50

B. What is the objective of this division? Please describe the major activities performed.

The Office of the Associate Commissioner for Assessment, Accountability, and Data Quality is responsible for the development and administration of assessments used to evaluate the progress of Texas students at critical checkpoints as an integral part of a statewide accountability system and to fulfill the federally mandated requirements of the Elementary and Secondary Education Act (ESEA); the planning and development of the state and federal public school accountability systems; planning and development of the performance-based monitoring system; and the research and development of education and data quality measures and publication of research reports in support of accountability system development. Annual school district accountability ratings as well as campus ratings are issued through this office. In addition, the office is responsible for management of the Texas Public Education Information Resource (TPEIR) data warehouse and the coordination of agency rulemaking.

The Office of Assessment, Accountability, and Data Quality is composed of the following:

- The Office of the Deputy Associate Commissioner of Data Development, Analysis, and Research
- The Division of Student Assessment
- The Division of Performance Reporting
- The Division of Performance-Based Monitoring
- The Division of Accountability Research
- The Division of Information Analysis
- The Division of Policy Coordination

The office of the associate commissioner oversees the major activities of the department, which include the following:

- Development, administration, scoring, analysis and reporting of statewide required assessments
- Planning, development, and support of the public school accountability system
- Issuance of annual district and campus accountability ratings
- Distribution of the annual Academic Excellence Indicator System reports and annual campus report cards to districts and campuses
- Development and implementation of the Adequate Yearly Progress (AYP) federal reporting system
- Development of indicators and elements for performance-based monitoring
- Research, preparation, updating of data files and coordination of the ED Facts and Common Core of Data (CCD) for federal reporting
- Management of the Texas Public Education Information Resource (TPEIR) data warehouse
- Production of data products generated from the PEIMS database and responding to data requests

- Coordination of the administrative rulemaking and rule review functions for State Board of Education and Commissioner of Education rules
- Research and development of educational measures, quality assurance, data analyses, policy analyses, and publication of research reports to assist in accountability system development, meet legislative requirements, or support public education policy development
- Preparation of annual reports on educational progress in Texas public schools and the comprehensive annual report on Texas public education as required by the Texas Education Code.

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

LBB Performance Measures Related to Department Functions:

- 2.1.1 percent of all students passing all tests taken
- 2.1.2 percent of African-American students passing all tests taken
- 2.1.3 percent of Hispanic students passing all tests taken
- 2.1.4 percent of White students passing all tests taken
- 2.1.5 percent of Asian-American students passing all tests taken
- 2.1.6 percent of Native American students passing all tests taken
- 2.1.7 percent of economically disadvantaged students passing all tests taken
- 2.1.8 percent of Native Hawaiian or Pacific Islander students passing all tests taken
- 2.1.9 percent of grades 3 through 8 students passing STAAR reading
- 2.1.10 percent of grades 3 through 8 students passing STAAR mathematics
- 1.2.27 Percent of campuses that meet AYP
- 1.2.28 Percent of students with disabilities exceeding the federal AYP cap for reading/ELA
- 1.2.29 percent of students with disabilities exceeding the federal AYP cam for mathematics
- 2.1.11 percent of students who are tested and included in the accountability system
- 2.1.12 percent of special education students who are tested and included in the accountability system
- 2.1.13 percent of LEP students who are tested and included in the accountability system
- 2.1.15 percent of districts receiving exemplary or recognized distinction designations
- 2.1.16 percent of campuses receiving exemplary or recognized distinction designations
- 2.1.17 percent of districts rated unacceptable
- 2.1.18 percent of campuses rated unacceptable
- 2.1.19 percent of charter campuses rated unacceptable
- 2.3.2 turnover rate for teachers
- 2.1.1.1 number of campuses rated unacceptable for two out of the three most recent rated years
- 2.1.1.2 number of districts rated unacceptable for two out of the three most recent rated years
- 1.2.9 percent of districts identified for special education noncompliance that correct noncompliance within a year of notification (LBB Measure)
- 2.2.2.3 number of LEAs participating in monitoring interventions related to discipline data and programs (LBB Measure)
- 2.3.2.1 number of LEAs participating in interventions related to student assessment participation rates (LBB Measure)
- 2.3.2.3. number of LEAs identified in special education performance-based monitoring system (LBB Measure)
- 2.2.2.4 number of LEAs identified in the PBMAS for bilingual/ESL education (LBB Measure)
- 1.1.1 percent of student completing high school
- 1.1.2 percent of African American students completing high school

- 1.1.3 percent of Hispanic students completing high school
- 1.1.4 percent of White students completing high school
- 1.1.5 percent of Asian American students completing high school
- 1.1.6 percent of Native American students completing high school
- 1.1.7 percent of economically disadvantaged students completing high school
- 1.2.15 percent of students retained in Grade 5
- 1.2.16 percent of students retained in Grade 8
- 1.2.17 percent of students retained in grade
- 2.1.13 annual statewide dropout rate for all students
- 2.1.22 percent of graduates who take the SAT or college admissions testing (ACT)
- 2.1.1.1 percent of underreported students in the leaver system

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

The Department of Assessment, Accountability, and Data Quality was created as part of the 2003 downsizing and reorganization of the Texas Education Agency that resulted in an increased emphasis on results-based accountability and monitoring.

- Deputy Associate Commissioner for Accountability and Performance Monitoring – position was deleted following implementation of the new state accountability system, federal AYP system, performance-based monitoring analysis system (PBMAS), and new federal reporting system.
 - Performance Reporting Division – existing division with expanded responsibilities for federal accountability and reporting as well as designing and implementing a new state academic accountability system for Texas public schools and school districts.
 - Performance-Based Monitoring – new division established as part of the move from a cyclical, compliance-based special program monitoring system to a results-based system.
- Student Assessment Division – existing division transferred to the department in 2007 for development and implementation of a new State of Texas Assessments of Academic Readiness (STAAR) student assessment program with end-of-course graduation tests and college-ready performance standards.
- Deputy Associate Commissioner for Data Development, Analysis, and Research – this position was created in 2007 to provide strategic guidance in agency data collection, information analysis, and research functions, including new Education Research Centers.
 - Accountability Research – created from the former Research and Evaluation Division with a shift in focus to address the demand for increased data quality and research supporting development, implementation, and evaluation of performance indicators.
 - Information Analysis Division – existing division to handle growing PEIMS reporting function.
 - PEIMS Division – responsibility for PEIMS Data Standards and data submission transferred to Information Systems.
- Policy Coordination – existing division with expanded responsibility for SBEC administrative rulemaking as well as SBOE and commissioner of education rulemaking.

Since 2007 a coordinated and research-based approach to assessment and accountability planning and decision-making has been implemented. The approach has produced a stronger partnership with the assessment contractor that will streamline processes by producing a single set of underlying performance data that can be used to meet different state and federal requirements.

See individual division responses for a detailed history of functions.

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

Annually, about 3.2 million Texas public school students are administered state assessments. Assessment performance indicators, as well as graduation and completion rates, and other measures of academic performance are used to rate over 1,200 Texas public school districts and 8,500 campuses, including charter schools, on the academic performance of their students, and to evaluate the district performance of students in special programs for state and federal program monitoring. From these accountability ratings (both state and federal) districts, campuses, and the public are informed about how districts and campuses have performed. Other online reports and publications pull together a wide range of performance and profile information for each district and campus. The department monitors data quality for the assessment program and district submitted data that go into the ratings and reports, oversees policy review and approval of district data collections, and communicates with other state agencies such as the Texas Higher Education Coordinating Board and Texas Workforce Commission in acquiring data and management of external education research centers. Entities affected by systems, reports, and publications for which the department is responsible include public school districts and campuses, educators, parents, school board members, business and community representatives, professional organizations, legislative representatives across the state, and the general public. Entities affected by functions performed in the areas of administrative rulemaking and Texas Register filings include school districts and campuses, charter schools, educators, school district board members, educator preparation programs, parents, SBOE and SBEC members, business and community representatives, professional associations, education service centers, legislative representatives across the state, the public, and agency staff.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

The primary function of the associate commissioner’s office is long-term planning and development related to the student assessment program, state and federal accountability and monitoring systems, and use of data for educational research and policymaking. The activities of the divisions in the department are largely directed by annual cycles that begin with the calendars for administering state assessments and school district data submissions, followed by a period of intense activity related to use of the assessment results and district-submitted data for accountability ratings and reports.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

600 Assessment, Accountability, & Data Quality	
Federal Funds	80,226
General Revenue	320,563
Other Funds	340
600 Assessment, Accountability, & Data Quality Total	401,129

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

The department works closely with Pearson, TEA's primary contractor for the provision of support services to the statewide assessment program. Under the oversight of the Student Assessment Division, Pearson and its subcontractors perform assessment-related functions that require specialized expertise. These include test development, test materials production, psychometric services, and scoring/reporting of test results.

No other programs determine state and federal accountability ratings that meet the respective statutory requirements for these systems, or evaluate performance of school district special programs for statutorily required state monitoring of federally funded programs. Other organizations external to the agency report education performance results and evaluate some school districts and/or campuses based on performance.

Although other agency program areas may perform similar activities such as develop educational measures, produce standard information products, or respond to information and data requests, each program area has a distinct area of expertise and is the business owner of those data. This department, for example, is the data owner for measures on student assessment results, high school completion, dropout, promotion and retention, SAT, ACT, Advanced Placement and International Baccalaureate examinations. The department is responsible for TPEIR, the largest repository of school district data at TEA, and responds to the majority of requests for PEIMS non-financial data.

There are no programs internal or external to the agency that perform similar functions related to administrative rulemaking and Texas Register filings.

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Overlapping reports sometimes meet different requirements under state and federal statute, different reporting timelines, and provide data to different audiences. For example, there is overlap in the performance data published in the state required AEIS reports, federally required NCLB report cards, and campus report cards designed for parents.

The state has a legal obligation to respond to public information requests. Furthermore, use of data by outside organizations is not discouraged. These efforts cannot be used to meet state or federal statutory requirements but can provide valuable feedback to educators.

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

The department works closely with the U.S. Department of Education to ensure that changes in the state testing program meet federal assessment and accountability requirements, changes to the state adequate yearly progress (AYP) system are approved, the Performance-Based Monitoring Analysis System (PBMAS) meets federal accountability and monitoring requirements, and data are submitted through the ED*Facts* system in compliance with federal regulations.

Department interactions with the following Texas state agencies are described in the division responses: Texas Higher Education Coordinating Board, Texas Workforce Commission, Department of Public Safety, Department of Family and Protective Services, Department of Health and Human Services, and Secretary of State's Office.

Staff in the department work closely with assessment, accountability, and performance-based monitoring liaisons at each of the state's twenty regional ESCs. Staff also work closely with school districts and charter schools to ensure that testing materials are handled and administered securely and in accordance with state testing policy and law, and to provide technical assistance related to accountability ratings.

K. Contracted expenditures made through this Division.

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

The new accountability system that was mandated by House Bill 3 (HB 3, 81st Texas Legislature, 2009) will be developed during the 2011–2012 school year and implemented in 2013. Detailed information about the development and implementation of the new system is available in the House Bill 3 Transition Plan at <http://www.tea.state.tx.us/student.assessment/hb3plan/>.

The House Bill 3 Transition Plan also provides detail on changes to the student assessment program in response to Senate Bill 1031 (80th Texas Legislature, 2007) and House Bill 3. The following statutory changes could assist the student assessment program:

- Change language in statute that allows students to retest on the EOC assessments for any reason and limit this to students who do not meet the passing standard (TEC, §39.025(b)).
- Eliminate the word “full” from the statute that limits when EOC assessments can be administered (TEC, §39.023(c-3)(2)).

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

For the past four years much of the energy of the associate commissioner's office has been focused on development of the new student assessment program. Over the next two years the STAAR assessment program will be implemented. Assessment results are at the center of the accountability and reporting systems, all of which must be redesigned during the 2011-2012 school year. Additional information about the functions of the Department of Assessment, Accountability, and Data Quality are covered in the program descriptions of the divisions in the department.

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

Testing irregularities are required to be reported by school districts to the Texas Education Agency. The majority of irregularities reported are procedural errors that do not compromise test integrity. However, some incidents are reported to legal services and may result in sanctions against individual educators, including revocation of certification.

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

A. Guide to Agency Programs / Divisions	
Division Number:	601
Division Name:	Accountability Research
Division Director:	Linda Roska
Expenditures, FY10:	1,304,348
Number of FTEs (8/31/10):	15.36

B. What is the objective of this division? Please describe the major activities performed.

Objective: The Division of Accountability Research is responsible for research and policy analysis on state and federal accountability measures, educational policy research, development of public school data and information systems, and reports on educational progress in Texas public schools. The division develops indicators and measures for high school completion, dropouts, grade-level retention, college entrance examinations, and advanced courses. The measures are used in the Academic Excellence Indicator System (AEIS), state and federal accountability, performance-based monitoring, and numerous state and federal reports. In addition, the division is the program owner of AskTED, the Web-based application of district personnel contact information and district and campus organizational information.

Major activities performed:

1. Indicators and measures of school system and student educational progress for public school applications:

Research and development of educational measures (Annual research on and development of high school completion, dropout, promotion and retention, attendance, enrollment, SAT, ACT, Advanced Placement (AP), and International Baccalaureate (IB) measures. Participate in policy development and make policy recommendations on measures for accountability systems and other purposes. Implement policy decisions on educational measures.); Educational measures datasets (Research, prepare, and update data files as input datasets for state and federal accountability systems, reporting, research, evaluation, and program applications. Includes programming, diagnostics, quality assurance testing, technical documentation, and process documentation. Measures and data include: progress and promotion measures; school completion measures; assessment performance measures; profile data; and federal reporting data.); Quality assurance (Develop and perform diagnostic tests; review program code, diagnostics, and documentation for datasets produced by the division.); Data analyses (Produce summary data tables for the public and media and respond to internal requests for data analyses in support of projects.); and Policy analyses (Research on and analyses of educational policy issues for legislators, senior management, and the public. Research current practices and history, and conduct empirical analyses using current and historical PEIMS data, assessment and testing data, and state accountability data. Interpret results and present policy options.)

2. Reports and reporting:

Report production, including reports required by state law (Annual reports on high school completion and dropouts, promotion-retention, enrollment, college entrance examinations, and AP and IB examinations. Conduct research, writing, editing, format, layout, and printing for production of annual publications of profile, progress, and performance measures, including detailed statistical tables and policy analyses. Publications mandated by state law: Coordinate contributions to *Comprehensive Annual Report to the Legislature on Texas Public Schools*. Edit, format, layout, print,

and manage distribution of the reports.); Web reporting (Create HTML and PDF files, update web pages, create and post searchable data files.); Information Requests (Respond to information requests on a wide variety of topics related to public education.).

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

LBB Performance Measures FY12-13

- 1.1.1 Percent of students completing high school
- 1.1.2 Percent of African American students completing high school
- 1.1.3 Percent of Hispanic students completing high school
- 1.1.4 Percent of White students completing high school
- 1.1.5 Percent of Asian American students completing high school
- 1.1.6 Percent of Native American students completing high school
- 1.1.7 Percent of economically disadvantaged students completing high school
- 1.2.15 Percent of students retained in Grade 5
- 1.2.16 Percent of students retained in Grade 8
- 1.2.17 Percent of students retained in grade
- 2.1.13 Annual statewide dropout rate for all students
- 2.1.22 Percent of graduates who take the SAT or college admission testing (ACT)
 - 2.1.1.1 Percent of underreported students in the leaver system
- New Percent of students graduating from high school
- New Percent of students continuing in high school
- New Percent of students receiving GEDs
- New Percent of students dropping out before graduation
- New Percent of Native Hawaiian or Other Pacific Islander students completing high school

TWIC Performance Measure

Educational achievement rate: Percent of students completing high school

Strategic Plan Outcome Measures

- 1.1.1 Percent of students completing high school
- 1.1.2 Percent of African American students completing high school
- 1.1.3 Percent of Hispanic students completing high school
- 1.1.4 Percent of White students completing high school
- 1.1.5 Percent of Asian American students completing high school
- 1.1.6 Percent of Native American students completing high school
- 1.1.7 Percent of economically disadvantaged students completing high school
- 1.2.15 Percent of students retained in Grade 5
- 1.2.16 Percent of students retained in Grade 8
- 1.2.17 Percent of students retained in grade
- 2.1.13 Annual statewide dropout rate for all students
- 2.1.22 Percent of graduates who take the SAT or college admission testing (ACT)
 - 2.1.1.1 Percent of underreported students in the leaver system
- New Percent of students graduating from high school
- New Percent of students continuing in high school
- New Percent of students receiving GEDs
- New Percent of students dropping out before graduation

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

The Division of Program Evaluation was created in the 1970's. From its creation through the late 1980's, the division was responsible for Title I and other federal evaluations. The division was also responsible for state-mandated studies and evaluations of programs, initiatives, and policies.

The division administered an incentives program called the Governor's Educational Excellence Program and later the Texas Successful Schools Award System between 1990 and 1995. The division was responsible for the initial development of performance indicators for the Academic Excellence Indicator System (AEIS) and first-year distribution of AEIS reports (1989- 1993). Annual dropout rates were among the first performance indicators developed. An SAT and ACT indicator for the AEIS was developed in 1992.

By 1993, the division had been renamed the Division of Policy Planning and Evaluation. Statewide evaluations and studies continued. Greater emphasis was placed on policy research for educational planning purposes. By 1994, a new Performance Reporting Division had assumed responsibility for AEIS reporting and district and campus accountability ratings. The Division of Policy Planning and Evaluation was renamed the Division of Policy Analysis and Evaluation.

By 1996, the division became the Division of Research and Evaluation. The division continued to contribute to federal evaluations and reports. The *Elementary and Secondary Education Act* (ESEA), as reauthorized by the *Improving America's Schools Act of 1994*, required evaluations of discretionary projects funded by Title VI, *Innovative Education Program Strategies*, and projects funded by Title VII, *Bilingual Education, Language Enhancement, and Language Acquisition Programs*. The Division contributed program evaluations to the annual agency reports to the United States Department of Education (USDE). The 2001 reauthorization, the *No Child Left Behind Act*, incorporated many of the provisions of Title VI and Title VII in Title V, *Promoting Informed Parental Choice and Innovative Programs*, and Title III, *Language Instruction for Limited English Proficient and Immigrant Students*, respectively. The federal evaluation functions were transferred to the Department of Standards and Programs and the Department of Planning, Evaluations, and Grants in late 2003.

The division has developed and published measures for SAT/ACT since 1989 and dropout rates since 1992. Initially, annual dropout rates Grades 7-12 for racial/ethnic and economic status students groups were published. Since that time, dropout reporting has expanded to include Grades 7-8 and Grades 9-12 annual dropout rates, and dropout rates for many instructional programs (including gifted and talented, career and technical education, bilingual/English as a Second Language, and special education) and student groups (including students with limited English proficiency, at-risk, immigrant, and migrant). High school completion rates for Grades 7-12 and Grades 9-12 and measures of leaver data quality have been published since 1997. Retention rates have been published since 1992. AP and IB measures were developed in 1996.

The focus of special studies and reports shifted toward measures of student progress and school improvement available in AEIS, such as the Statewide Texas Educational Progress Study (STEPS) report series (1996 – 1999).

The division assumed responsibility for the state-mandated *Comprehensive Annual Report to the Legislature on Texas Public Schools* and was responsible for the evaluation of the *1996-2000 SBOE Long-Range Plan* and the production of the *2001-2006 SBOE Long-Range Plan*. The division developed a website with division publications, abstracts, and searchable databases.

From 1993-2003, the division was responsible for the maintenance of school district boundaries. School districts were required to file maps of their boundaries and submit updates to TEA (TEC 13.010). The division implemented and maintained the agency Geographic Information System through 2003. This function was transferred to Information Systems in late 2003.

In 2003, the division became the Division of Accountability Research. The division assumed responsibility for the business decisions governing the agency's database of district personnel and organizational information that year and, in 2007, assumed responsibility for AskTED, the Web-based application that provides an interface to the organizational database.

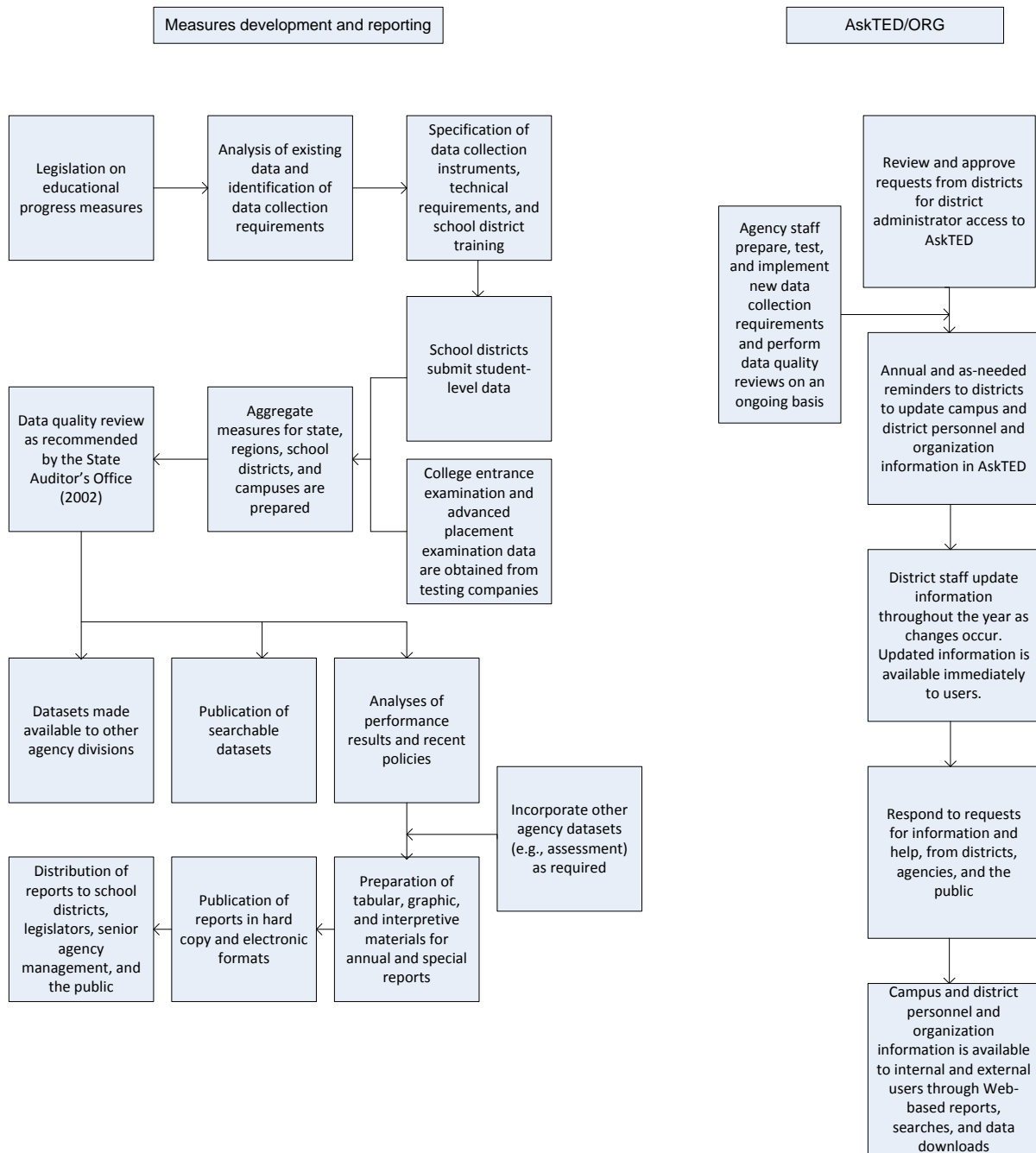
E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

The performance indicators and measures affect public school districts and campuses across the state by providing quantitative tools to assess performance and plan instructional programs.

Indicators and measures development, modification, and production are essential to the agency divisions that develop and implement education policy, produce the accountability ratings, AEIS reports, School Report Cards, and the *Comprehensive Annual Report to the Legislature on Texas Public Schools*, apply for federal funds, monitor school districts and educational program performance, and submit federal program reports.

Campus and district personnel and organization information available through AskTED is used extensively throughout the agency and externally by school districts and the general public.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.



The division does not have field or regional services.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

601 Accountability Research

Federal Funds	84,750
General Revenue	1,219,598
601 Accountability Research Total	1,304,348

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

Although other agency program areas may perform similar activities such as develop educational measures, produce standard information products, or respond to information and data requests, as does this division, each program area has a distinct area of expertise and is the business owner of those data. This division is the data owner for measures on high school completion, dropout, promotion and retention, SAT, ACT, Advanced Placement and International Baccalaureate examinations.

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Analysts developing measures datasets make the datasets available to all other analysts in the agency, subject only to agency policies on access to confidential data and, in some cases, time-sensitive data release dates. Information requests received at the agency that are managed through the Public Information Request Tracking System (PIRTS) are assigned to the most appropriate program for response. The agency point-of-contact for information requests that are received usually responds directly or assigns one other program to respond. Duplication has not been an issue.

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

The division provides considerable technical support to districts and technical information to regional education service centers responsible for providing technical assistance and training to school district personnel. The division also provides supports to districts and education service centers as a member of the external data committee on PEIMS, Information Task Force.

K. Contracted expenditures made through this Division.

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

None.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

The division provides a critical service because it combines a deep understanding of the very complex PEIMS data with the capability to interpret those data for educational policy analysis.

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

Not Applicable

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

A. Guide to Agency Programs / Divisions	
Division Number:	602
Division Name:	Performance Reporting
Division Director:	Shannon Housson
Expenditures, FY10:	2,295,125
Number of FTEs (8/31/10):	28.85

B. What is the objective of this division? Please describe the major activities performed.

The Division of Performance Reporting determines campus and district accountability ratings under state and federal law and provides campus and district performance and profile data to educators, policymakers, and the public. The division is responsible for the following systems, reports, and publications in priority order:

1. Coordinate and prepare federal EDFacts data submission and the federal Common Core of Data (CCD) data submission
2. Implement Federal Adequate Yearly Progress (AYP) rating and School Improvement Program (SIP) identification system
3. Develop and implement state accountability rating system (standard and alternative education accountability (AEA) procedures)
4. Produce NCLB Report Card, Academic Excellence Indicator System (AEIS) datasets and reports, and School Report Cards (SRC).
5. Develop and implement distinction designations for academic achievement
6. Produce reports/communications and prepare Public Information Requests
7. Publish Snapshot and Pocket Edition

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

The following list provides the Legislative Budget Board (LBB) Performance Measures related to the division functions.

- 1.2.27 Percent of Campuses That Meet AYP
- 1.2.28 Percent of Students with Disabilities Exceeding the Federal AYP Cap for Reading/ELA
- 1.2.29 Percent of Students with Disabilities Exceeding the Federal AYP Cap for Math
- 2.1.11 Percent of Students Who are Tested and Included in the Accountability System
- 2.1.12 Percent of Special Education Students Who are Tested and Included in the Accountability System
- 2.1.13 Percent of LEP Students Who are Tested and Included in the Accountability System
- 2.1.15 Percent of Districts Receiving Exemplary or Recognized Distinction Designations
- 2.1.16 Percent of Campuses Receiving Exemplary or Recognized Distinction Designations
- 2.1.17 Percent of Districts Rated Unacceptable
- 2.1.18 Percent of Campuses Rated Unacceptable
- 2.1.19 Percent of Charter Campuses Rated Unacceptable
- 2.3.2 Turnover Rate for Teachers
 - 2.1.1.1 Number of Campuses Rated Unacceptable for Two Out of the Three Most Recent Rated Years
 - 2.1.1.2 Number of Districts Rated Unacceptable for Two Out of the Three Most Recent Rated Years

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

State Accountability:

In 1993, the Texas Legislature enacted statutes that mandated the creation of the Texas public school accountability system to rate school districts and evaluate campuses. A viable and effective accountability system was achievable in Texas because the state already had the necessary infrastructure in place: a pre-existing student-level data collection system; a state-mandated curriculum; and a statewide assessment tied to the curriculum.

The system initiated with the 1993 legislative session remained in place through the 2001-02 school year. The ratings issued in 2002 were the last under that system. Beginning in 2003, a new assessment, the Texas Assessment of Knowledge and Skills (TAKS), was administered. This assessment includes more subjects and grades, and is more difficult than the previous statewide assessment. A new rating system based on the TAKS was developed during 2003. Ratings established under the newly designed system were first issued in the fall of 2004. This year, 2011, is the last year for the accountability rating system based on the TAKS.

House Bill 3 (HB 3, 81st Texas Legislature, 2009) established a new campus and district accountability system that will be based on higher college- and career-readiness performance standards on the State of Texas Assessments of Academic Readiness (STAAR), and on distinctions earned by campuses demonstrating achievement in areas not measured by the STAAR program as well as on academic performance. The new accountability system based on the STAAR grades 3–8 and end-of-course assessments will be developed during the 2011–2012 school year and implemented in 2013.

Federal Accountability:

The *No Child Left Behind Act of 2001* (NCLB) (Public Law 107-110), reauthorized and amended federal programs established under the *Elementary and Secondary Education Act of 1965* (ESEA). Under NCLB, accountability provisions that formerly applied only to districts and campuses receiving Title I, Part A funds were required to be applied to all districts and campuses. Beginning with the 2002-03 school year, the Division of Performance Reporting began annually evaluating all public school districts, campuses, and the state are evaluated annually for Adequate Yearly Progress (AYP).

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

Annually, Texas public school districts and campuses, including charter schools, are rated on the academic performance of their students. From these accountability ratings (both state and federal) districts, campuses, and the public are informed about how districts and campuses have performed on the indicators in the state and federal accountability systems. Other reports and publications pull together a wide range of information for each district and campus.

Entities affected by systems, reports, and publications for which the Division of Performance Reporting is responsible include public school districts and campuses, educators, parents, school board members, business and community representatives, professional organizations, legislative representatives across the state, and the general public.

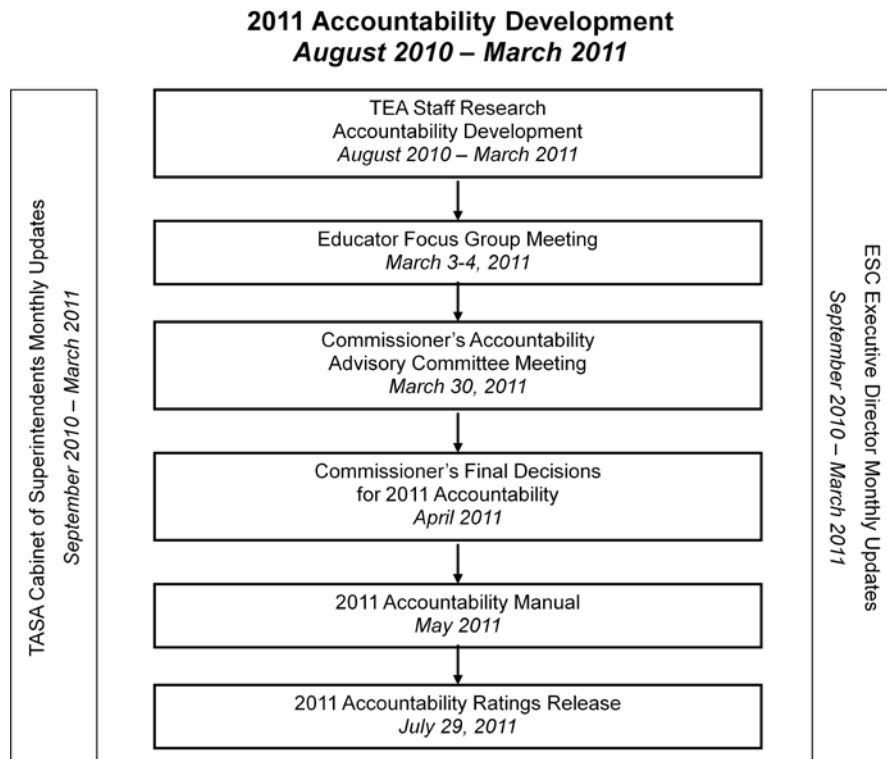
In the 2010-11 school year, 1,228 public school districts and charters and 8,526 campuses will receive a rating designation in the state and federal accountability systems.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

Activities in the Division of Performance Reporting are sequential. AEIS data serve as a master file for AEIS reports, SRC, state accountability ratings, *Snapshot*, and *Pocket Edition*. The AYP rating system draws on the AEIS data where there is overlap. The sequence of activities is below.

- Ongoing state and federal accountability system development in December – March.
- Publish *Accountability Manual* and *AYP Guide* in May/June.
- Release Accountability Ratings and AYP statuses before the beginning of the school year.
- Publish AEIS Reports after Accountability Ratings release.
- Publish SRC after the AEIS Reports.
- Finalize Accountability Ratings and AYP Status by the end of October (includes results of appeals).
- Release GPA with final Accountability Ratings.
- Publish PEG list before the end of the calendar year.
- Publish *Pocket Edition* in December.
- Publish NCLB Report Card by end of January.
- Publish *Snapshot* in early spring.

The chart below provides an illustration of the annual state accountability development process that relies on review and input from accountability advisory groups and education service center (ESC) and district advisory committees.



G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

602 Performance Reporting

Federal Funds	803,171
General Revenue	1,482,450
Other Funds	9,504

602 Performance Reporting Total 2,295,125

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

No other programs determine state and federal accountability ratings. However, other organizations external to the agency, some of which are listed below, provide information similar to the results provided on the AEIS and SRC reports.

- The Texas PK-16 Public Education Information Resource (TPEIR) at <http://texaseducationinfo.org/>, a program internal to the agency, replicates a small portion of AEIS reports by making available high school graduation data by school year and high school diploma type at statewide, regional, and district levels.
- Annual reports for selected performance indicators (completion and dropout rates, college admissions test results, retention rates, and Advanced Placement and International Baccalaureate examinations) are published by the Accountability Research Division. These reports cover the indicators in greater depth and breadth than the AEIS reports.
- The Performance-Based Monitoring (PBM) system uses assessment results and completion and dropout indicators for special programs compliance monitoring.
- Student Assessment Division reports assessment results. Although there is significant overlap, these data differ from the accountability assessment data reported on AEIS.
- The School Financial Audits Division releases district ratings under the Financial Integrity Rating System of Texas – FIRST. There is little overlap in the data elements reported and no overlap in the data elements evaluated under this system with ratings and reports produced by Performance Reporting. However, FIRST does produce district ratings, which are currently released on a different calendar from state accountability ratings and AYP.
- External entities, such as the National Center for Educational Accountability, analyze state test data to identify how well a subset of Texas public schools are performing. The Texas Business and Education Coalition (TBEC) prepare the TBEC Honor Roll to also recognize schools with high performance on the state assessments. These reporting systems are not designed to meet state or federal statutory requirements for school accountability. More information about these entities is available online at <http://www.nc4ea.org/> and <http://tbec.org/>.

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency’s customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

All of the systems, reports, and publications for which the Division of Performance Reporting is responsible are required in state and federal statute, except for *Pocket Edition* and *Snapshot*. The Division of Performance Reporting is the authoritative source of accountability ratings, AEIS reports,

SRCs, NCLB Report Cards, AYP ratings, and other state and federal accountability-related information. As long as these statutory requirements exist, the Division of Performance Reporting will continue to provide the information.

Even though there is some overlap of information provided by the other programs listed in Question J, there is not complete duplication of any information produced/published by the Division of Performance Reporting.

Use of data by outside organizations is not discouraged. These efforts cannot be used to meet state or federal statutory requirements but can provide valuable feedback to educators. One of the guiding principles of the state accountability system has been Local Responsibility – the system relies on local school districts to develop and implement local accountability systems that complement the state system.

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

Systems, reports, and publications for which the Division of Performance Reporting is responsible rely primarily on two data sources: PEIMS and student assessment results. PEIMS data are reported to TEA by public school districts. Assessment results are obtained from the test contractor, Pearson.

Other data sources include:

- the Property Tax Division of the Comptroller’s Office of Public Accounts;
- financial audit reports submitted to TEA by auditors hired by local districts;
- College Board’s SAT I;
- ACT, Inc; and
- General Educational Development (GED) test results transmitted electronically to TEA from over 200 centers located through the state in school districts, colleges and universities, and education service centers.

As required by final federal regulations published on January 25, 2007 under 72 FR 3698, the Division of Performance Reporting also coordinates with a number of other divisions within the agency to submit all data collected by ED*Facts* beginning with data collected for SY 2008-09. ED*Facts* is a U. S. Department of Education initiative to centralize performance data supplied by K-12 state education agencies (SEAs) with other data assets, such as financial grant information, within the Department to enable better analysis and use in policy development, planning and management.

K. Contracted expenditures made through this Division.

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

The new accountability system that was mandated by House Bill 3 (HB 3, 81st Texas Legislature, 2009) will be developed during the 2011–2012 school year and implemented in 2013. Detailed information about the development and implementation of the new system is available in the House Bill 3 Transition Plan at <http://www.tea.state.tx.us/student.assessment/hb3plan/>.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Extensive information about the state accountability and federal accountability ratings systems is published in the 2011 Accountability Manual and the 2011 AYP Guide, respectively. These documents can be found online at the following links.

State Accountability: <http://ritter.tea.state.tx.us/perfreport/account/2011/manual/index.html>

Federal Accountability: <http://www.tea.state.tx.us/ayp/>

As described above in Question L, the House Bill 3 Transition provides detailed information about the new accountability system that will be implemented beginning with the 2012-13 school year.

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

Not Applicable

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

A. Guide to Agency Programs / Divisions	
Division Number:	603
Division Name:	Enterprise Data Management
Division Director:	Melody Parrish
Expenditures, FY10:	736,178
Number of FTEs (8/31/10):	9.00

B. What is the objective of this division? Please describe the major activities performed.

Enterprise Data Management (EDM) is responsible for the planning, management, and support of mission critical, school district data collection systems required for state and federal reporting. These include the Public Education Information Management System (PEIMS), which enables the administration of the state accountability and school finance systems, the Person Identification Database (PID), PID Enrollment Tracking (PET), the Texas Electronic Records Exchange, (TREx), and the Texas Student Data System (TSDS). These systems combine the majority of school district data collections under one umbrella to streamline reporting, reduce duplication, provide consistency and accuracy of data, and produce a standard set of education related data definitions.

Major activities include:

- EDM is the business owner of the TSDS project. As such the division is responsible for developing the policies, business rules, and requirements for the project which includes the redesign of school district data collections, the creation of a State Supported Student Information System, a district facing data warehouse, dashboards and reports.
- Provide contract management for the State Supported Student Information Systems available to districts, to keep costs down and insure that the software meets state requirements.
- Analyze state, federal and agency requirements for school district data collections, including PEIMS, PET, and TREx. Conduct ongoing sunset reviews of existing data collections.
- Develop detailed proposals for changes to the PEIMS collection and coordinate the formal review by internal and external advisory committees. Maintain detailed minutes from all advisory committee meetings.
- Define the PEIMS, PET, and TREx data collection policies, schedules, business rules, data structures, element definitions, codes, program edits, and validation reports. Develop the PEIMS and TREx Data Standards specifications for school districts and software vendors. Develop the PEIMS Data Documentation for internal users.
- Provide critical customer support for school districts, software vendors and ESC staff on PEIMS collections, TREx, PID change requests and PET file submissions. Conduct training on statutory PEIMS and TREx applications with ESC PEIMS Coordinators and district software vendors. Maintain web based tutorials for all TREx users.
- Monitor school district data collections for compliance and coordinate with ESC and district staff to insure timely and accurate data reporting.
- Perform quality assurance reviews on PEIMS data. Research and resolve anomalies and reported problems.

- Review and approve system requirement specifications and design documents for planned enhancements to PEIMS and TReX applications to insure they support data collection and agency requirements.
- Perform user acceptance testing on changes to PEIMS and TReX applications.

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

The Division performs the following annually:

- Plans, designs, tests, and provides support for four separate PEIMS data collections per year.
- Creates and publishes three versions of the PEIMS Data Standards per year. Updates and publishes the TReX Data Standards at least once per year.
- Provides training on the requirements for the PEIMS, PID, PET, and TReX data collections to the ESC PEIMS Coordinators twice a year, and provides training to school district software vendors twice a year.
- Provides Help Desk support to over 1,200 districts, 20 ESCs, and over 20 software vendors on PEIMS, PET, PID, and TReX by phone and email on a daily basis.
- Maintains and publishes the PEIMS User Data Documentation on 184 PEIMS data views per year.
- Conducts sunset reviews on the 34 separate record types in the PEIMS collection every two years.
- Conducts Data Standards review meetings monthly with the Information Task Force (ITF) and quarterly with the Policy Committee on Public Education Information (PCPEI).

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

PEIMS was created in 1986 in response to TEC 42.006. The mandate was intended to provide greater accountability and evidence of effective results in Texas' system of public education. The amount of data collected has increased over the years in order to meet requirements for state and federal reporting. In 1991 the Policy Committee on Public Education Information and the Information Task Force were created as advisory committees to review proposed changes to the PEIMS Data Standards and make recommendations related to the data collection, (19 TAC 61.1025).

The PET data collection system was implemented in 2006 in order to assist districts with accurate leaver reporting.

The TReX system was implemented in 2007 in response to TEC7.010 which required all Texas school districts, open enrollment charter schools, and public institutions of higher education to participate in a system that allows student transcripts to be exchanged electronically.

Development of TSDS began in 2010 funded by a USDE Statewide Longitudinal Data System Grant. The system, currently under development, will re-engineer the PEIMS data collection system, as well as make local district data and performance reports available to authorized district staff in a standard format. In 2011, TEA contracted with two vendors to provide a state supported, student information system to school districts that meets state requirements.

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

The PEIMS data collection process impacts public schools, open enrollment charter schools, districts and education service centers who are required to report the data to the agency, and who use the reports available through PEIMS for state and local requirements. The PEIMS collection supports the following major agency data products, that are used by program staff, education stakeholders, legislators, school administrators, parents, teachers, school boards, and others interested in supporting sound education policy decisions.

- School Funding
- School Accountability Ratings
- Academic Excellence Indicator System (AEIS)
- Dropout Reporting
- School District Monitoring
- School District Audits
- Budget Forecasting
- Education Research
- The Texas Public Education Information Resource (TPEIR Data Warehouse)

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

The process for implementing new data collection mandates is as follows:

- Agency program areas propose changes to the PEIMS data collection based on state and federal mandates.
- EDM staff analyze the program area requirements and prepare a written proposal for changes to the Data Standards and the PEIMS collection system.
- The proposal is presented to the Information Task Force (ITF) for review. ITF makes a formal recommendation to the Policy Committee on Public Education Information (PCPEI) to approve or modify the proposed changes.
- PCPEI reviews the proposal and ITF recommendations, and makes a recommendation to the Commissioner for approval, modification, or rejection of the proposed change. The Commissioner may approve changes to the Data Standards outside of this process if necessary to expedite the data collection.
- Once approved the proposed changes are incorporated into the Data Standards and PEIMS collection software for the next school year, in order to give districts and software vendors time to modify the local systems.
- All PEIMS data elements are reviewed by ITF and PCPEI on a two year cycle as part of an ongoing sunset review process.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

603 Enterprise Data Management

Federal Funds	310,237
General Revenue	425,941
603 Enterprise Data Management Total	736,178

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

There are no programs internal or external to the agency that provide identical or similar services or functions.

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

EDM is represented on the TEA Data and Information Review Committee (DIRC) which reviews proposals for school district data collections to ensure that data collection is not duplicated. Additionally, any proposed changes to the PEIMS data collection are reviewed by two external advisory committees. The Information Task Force is a technical advisory committee that includes representatives from school districts and education service centers. The Policy Committee on Public Education Information is an advisory committee comprised of representatives from school districts, education service centers, and other state agencies.

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

EDM staff work closely with the Education Service Centers to ensure that the four annual PEIMS data collections are complete and the district data has been reviewed and accepted by the ESC PEIMS Coordinators. EDM staff provide training to the ESC PEIMS Coordinators and education software vendors twice a year on the requirements for the PEIMS, PID, PET data collections, and the Edit+ and TReX applications. The ESC PEIMS Coordinators in turn provide this training directly to the school district PEIMS Coordinators.

K. Contracted expenditures made through this Division.

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

While there are legislative mandates for the PEIMS data collection, TEC 42.006, and the TReX system for the electronic exchange of education records and transcripts, TEC 7.010, there is no legislation that addresses the consequences for districts or charter schools that report inaccurate data through PEIMS, or that do not use the TReX system. While TReX is now used by the majority of districts, there are still some districts and campuses that do not participate, do not provide all of the relevant information, or have a local policy of not including all of the data needed by colleges and universities for admission and placement. Non participation on the part of some districts continues to be a source of frustration for those districts that comply with the state mandate.

In addition, there are no consequences for Texas public colleges and universities who do not accept transcripts sent by school districts through TReX. Some colleges and universities decline to accept the

TREx transcripts because the districts have the option of not providing assessment scores and class ranking. This results in duplicate work for district registrars who have to send a printed copy of the student transcript with additional information to the colleges and universities.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

Not Applicable

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

A. Guide to Agency Programs / Divisions	
Division Number:	604
Division Name:	Policy Coordination
Division Director:	Cristina De La Fuente-Valadez
Expenditures, FY10:	361,977
Number of FTEs (8/31/10):	4.00

B. What is the objective of this division? Please describe the major activities performed.

The Division of Policy Coordination is responsible for:

- implementing, coordinating, and monitoring the agency's administrative rulemaking and statutorily required four-year rule review functions for rules of the State Board of Education (SBOE), Commissioner of Education, and State Board for Educator Certification (SBEC) codified in the Texas Administrative Code, Title 19;
- conducting policy reviews in rule for compliance with laws, regulations, and procedures, including reviewing and preparing analyses of legislation on administrative rulemaking;
- providing consultative services and technical assistance to agency staff on Administrative Procedure Act and Texas Register requirements;
- reviewing and posting legal filings such as open meeting notices and notices for requests for applications or proposals with the Texas Register Division of the Secretary of State's Office;
- serving as the agency's certifying official and as agency liaisons for legal filings submitted to the Texas Register Division;
- publishing policy information on administrative rules on the agency website with a focus on increasing public accessibility and awareness; and
- coordinating the development of specified cross-agency policy documents specific to rulemaking.

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

As of June 1, 2011, there were 167 SBOE rules, excluding the Texas Essential Knowledge and Skills (TEKS), and 449 commissioner rules codified in Texas Administrative Code, Title 19, Part 2, for a total of 616 rules. The TEKS are the state curriculum rules, which total an additional 501 SBOE rules as of June 1, 2011. There were 203 SBEC rules codified in Texas Administrative Code, Title 19, Part 7, as of June 1, 2011.

As part of its responsibilities for implementing the agency's administrative rulemaking functions, the Division of Policy Coordination managed the adoption of 680 SBOE rule actions, more than 210 commissioner rule actions, and more than 190 SBEC rule actions in 2009-2010. In addition, more than 270 SBOE and commissioner rules were reviewed as required by Texas Government Code, §2001.039. More than 250 SBEC rules were reviewed in compliance with the 2007-2010 SBEC Rule Review Plan, resulting in the amendment of 167 rules (64 percent) and the repeal of 85 rules (33 percent). Only 7 SBEC rules (3 percent) were readopted with no changes.

In 2010, the Division also posted more than 600 SBOE, commissioner, and SBEC adopted rule actions on

the agency's website.

As part of the division's responsibilities for reviewing and filing various legal notices with the Texas Register, more than 240 notices were filed in 2009-2010. Examples of these legal notices include SBOE and SBEC open meeting notices, availability of proposed Texas Individuals with Disabilities Education Act (IDEA) state policies and procedures, state Title I priority school applications, and request for applications concerning open-enrollment charter guidelines and application.

Through its rulemaking responsibilities, the Division of Policy Coordination provides support to the agency in meeting goals and Legislative Budget Board performance measures for public education policies required to be adopted in rule. Examples include adoption in rule of the student assessment performance standards; applicable excerpts of the annual state accountability manual, performance-based monitoring analysis system manual, and adequate yearly progress guide; annual student attendance accounting handbook; financial accountability system resource guide; requirements for educator certification; and accountability system for educator preparation programs.

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

In September 2003, as part of the agency's reorganization, the Division of Policy Coordination was designated as a separate division with the primary responsibility of implementing, coordinating, and monitoring the agency's rulemaking and rule review functions for rules of the SBOE and the commissioner. Prior to 2003, staff conducted these functions as part of a separate unit within the same department.

In 2005, the Division of Policy Coordination also assumed the responsibility for implementing, coordinating, and monitoring the rulemaking and rule review functions for rules of the SBEC. In July 2006, the division created the SBEC Rules website, listserv, and email address to increase public awareness for rules adopted relating to educator certification, standards, and fingerprinting. The SBEC Rules listserv was pre-populated with names and email addresses of school districts; approved educator preparation programs, including programs at institutions of higher education; and education service centers, as well as SBEC board members and select legislative staff. The creation of the SBEC Rules website and listserv was also in response to Rider 90, General Appropriations Act, 79th Texas Legislature, 2005.

Since fiscal year (FY) 1996, SBOE and commissioner rulemaking activity and information have been posted on the agency's website. This rule-related information serves as the primary means by which SBOE and commissioner rulemaking is conveyed, in addition to the required *Texas Register* postings. The public can view versions of a rule during the "proposed," "adopted not yet effective," and "currently in effect" stages of rulemaking. For SBEC rules, the version of a rule reflecting the "adopted subject to SBOE review" step in the SBEC rulemaking process is also available. Other rule-related information published on the agency website includes rule review plans, updates to the Texas Administrative Code, and procedures to petition for adoption of rule changes.

Since FY 1999, the Rules email and listserv continue to serve the public by providing rule-related information on SBOE and commissioner rules. In addition, an individual or association can submit comments electronically on a commissioner or SBOE rule proposal, as well as submit questions regarding public education policies adopted in rule.

The division has implemented various initiatives to increase public accessibility and awareness in the separate and distinct rulemaking processes for the SBOE, commissioner, and SBEC.

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

Entities affected by functions performed by the Division of Policy Coordination in the areas of administrative rulemaking and Texas Register filings include school districts and campuses, charter schools, educators, school district board members, educator preparation programs, parents, SBOE and SBEC members, business and community representatives, professional associations, education service centers, legislative representatives across the state, the public, and agency staff.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

The Division of Policy Coordination is responsible for implementing, coordinating, and monitoring the administrative rulemaking processes for SBOE, commissioner, and SBEC rules. These processes require providing advanced consultative services and technical assistance to all levels of agency staff for planning, implementing, and monitoring the administrative rulemaking activities. The rulemaking process to adopt a new, amended, or repealed commissioner rule is approximately three months. For SBOE rule adoptions, the rulemaking process could take five to six months, while the SBEC rulemaking process, which includes the review of SBEC rule actions by the SBOE, could take up to six months to complete.

The following reflects the steps taken to file a commissioner rule action for adoption, including notifying interested individuals. The process for filing an SBOE or SBEC rule action is similar, but the timeline is developed according to the SBOE and SBEC meeting schedules. In addition, SBOE operating rules allow for proposed new rules, amendments, and repeals to appear on the agenda for discussion at one board meeting and for action at two subsequent board meetings unless a departure from this rulemaking process is approved by the board. For SBEC rule actions, the timeline for adoption may be lengthened due to the statutorily required review of its rules by the SBOE.

1. Policy Coordination consults with agency staff to develop a timeline for adopting the proposed rule, using a preparation schedule as a guide.
2. Agency staff prepares and submits to Policy Coordination a rule packet that includes: (1) an item describing the rule action, background information, significant issues, and proposed effective dates; (2) statutory citations; and (3) proposed rule text. The packet must also include a transmittal form signed by the appropriate senior management and legal counsel, as well as signed fiscal and data impact review forms. The fiscal impact review is conducted by the agency division responsible for forecasting and fiscal analysis, and the data impact review is conducted by the agency's Data and Information Review Committee (DIRC).
3. Policy Coordination reviews and finalizes the proposed rule packet in consultation with agency staff and files the rule proposal with the Texas Register following authorization for filing by the commissioner and legal certification by counsel.

4. Policy Coordination files the rule proposal for publication in the *Texas Register*, notifies agency staff of the filing, and publishes the rule proposal on the agency's website.
5. Policy Coordination notifies listserv subscribers via email of the rule proposal. The email includes a link to the administrative rules web page and calls for comments on the proposal. Any public comments received either by regular mail, fax, or email are sent directly to agency staff responsible for development of the rule proposal.
6. Policy Coordination verifies the accuracy of the rule proposal published in the *Texas Register*.
7. After the public comment period for the rule proposal ends, agency staff prepares and submits to Policy Coordination a rule packet that includes: (1) an item that includes a summary of public comments on the rule proposal and corresponding agency responses to the comments and a description of changes proposed for adoption in response to public comments; (2) statutory citations; and (3) adopted rule text. The adopted rule packet must also include a transmittal form signed by senior management and legal counsel.
8. Policy Coordination reviews and finalizes the adopted rule packet in consultation with agency staff and obtains authorization from the commissioner for filing the rule adoption with the Texas Register. Legal certification by counsel is also required at adoption.
9. Policy Coordination files the rule adoption for publication in the *Texas Register*, notifies agency staff of the filing, and publishes the rule adoption (not yet effective) on the agency's website.
10. Policy Coordination notifies listserv subscribers via email of the rule adoption. The email includes a link to the administrative rules web page.
11. Policy Coordination verifies the accuracy of the rule adoption published in the *Texas Register*.
12. Once the rule action takes effect, Policy Coordination updates the agency's website to reflect this change.
13. Policy Coordination staff prepares an update to the agency's Texas Administrative Code, Title 19, Part II, and notifies listserv subscribers of this update, which is posted on the agency's website.
14. Policy Coordination maintains supporting documentation of the proposed and adopted rule actions.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

604 Policy Coordination

General Revenue	361,977
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604 Policy Coordination Total	361,977
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H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

There are no programs internal or external to the agency that provide identical services or functions.

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Not Applicable. It is important to note, however, that the agency's administrative rulemaking procedures require an assessment of the data implications of a proposed rule action to avoid duplication of data collections to the agency. The DIRC, managed by the agency's Department of Data Development,

Analysis, and Research, serves as the governance committee charged with monitoring the information content of all TEA data collections, including collections required by rule.

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

The Division of Policy Coordination works closely with staff in the Secretary of State's Office, Texas Register Division. Staff in the Division of Policy Coordination consults as needed with Texas Register staff on issues relating to submission of rule actions, open meeting notices, and other miscellaneous documents. As specified in Texas Administrative Code, Title 1, Part 4, Chapter 91, the Secretary of State publishes the *Texas Register* and provides an electronic bulletin board for open meeting notices posted by state agencies and certain regional authorities. The Secretary of State also publishes the Texas Administrative Code, a compilation of current state agency rules, on the Internet.

Staff in the Division of Policy Coordination also works with SBEC legal counsel to ensure all SBEC rule-related filings have been reviewed for legal certification prior to submission to the Texas Register. SBEC legal counsel is with the Texas Attorney General's Office.

K. Contracted expenditures made through this Division.

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Not Applicable

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

Not Applicable

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

A. Guide to Agency Programs / Divisions	
Division Number:	605
Division Name:	Performance-Based Monitoring
Division Director:	Rachel Harrington
Expenditures, FY10:	763,718
Number of FTEs (8/31/10):	7.00

B. What is the objective of this division? Please describe the major activities performed.

The Performance-Based Monitoring Division is a technical and analytic division responsible for four specialized mission-critical products: the Performance-Based Monitoring Analysis System (PBMAS), the Leaver Data Validation System, the Discipline Data Validation System, and the Student Assessment Data Validation System. These products are used by several areas of the agency to meet state and federal monitoring and accreditation requirements. These products also serve as “system safeguards” to the state and federal accountability systems. The major activities performed include:

- Developing performance-based monitoring indicators (including indicators of data quality);
- Analyzing district performance data;
- Developing and disseminating all supporting documentation, procedures, methodologies, and analyses related to the performance-based monitoring indicators; and
- Coordinating with other departments in the agency to ensure the effective, agency-wide implementation of a data-driven performance-based monitoring system focused on improving student performance and data quality.

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

Evidence of the effectiveness of this division can be seen in the statewide performance data indicating significant improvements over time in areas that have been a focus of the division’s work. (See 2006-2010 PBMAS State Reports, available here: <http://www.tea.state.tx.us/pbm/stateReports.aspx> .)

Although the division is not the direct owner of any LBB performance measures, several of the agency’s performance measures are related to the division’s functions, including:

1.2.9 (Percent of Districts Identified for Special Education Noncompliance That Correct Noncompliance Within a Year of Notification)

2.2.2.3 (Number of LEAs Participating in Monitoring Interventions Related to Discipline Data and Programs)

2.3.2.1 (Number of LEAs Participating in Interventions Related to Student Assessment Participation Rates)

2.3.2.3 (Number of LEAs Identified in Special Education Performance-Based Monitoring System)

2.2.2.4 (Number of LEAs Identified in the Performance-Based Monitoring System for Bilingual Education/English as a Second Language)

The owner of these measures (the Program Monitoring and Interventions Division) can provide additional detailed information and key statistics related to these measures.

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

The Performance-Based Monitoring Division was created in 2003, as a result of state legislation and a major agency reorganization, both of which were designed to move the agency away from the former District Effectiveness and Compliance (DEC) monitoring system to a performance-based system for monitoring school district performance and data integrity. To implement this new direction, the agency restructured its entire approach to monitoring, with an emphasis on the following:

- enhanced local control;
- annual monitoring of school districts using comprehensive and statistically reliable data systems linked to student performance, program effectiveness, and data quality rather than cyclical compliance monitoring with no mechanism for achieving improved results at the student, campus, district, or state level;
- minimal state intervention in districts that demonstrate strong student performance and high data integrity;
- identification of districts needing assistance in specific areas;
- optimization of limited agency resources for monitoring; and
- more effective support of under-performing districts.

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

This division's functions affect all LEAs in the state. In addition, performance-based monitoring liaisons at each of the state's twenty regional Education Service Centers (ESCs) are responsible for providing the districts in their regions with technical assistance and professional development related to the state's monitoring system.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

The division is administered through an annual work cycle that typically runs from September to August, with the development and implementation of major activities as follows:

September:	Begin Current Year's PBMAS System Development Finalize Current Year's Leaver Data Validation System
October:	Release Current Year's Leaver Data Validation System Finalize Current Year's Discipline Data Validation System
November:	Release Current Year's Discipline Data Validation System Finalize Current Year's Student Assessment Data Validation System
December:	Release Current Year's Student Assessment Data Validation System
January:	Release Previous Year's PBMAS State and Region Reports
February – May:	Finalize Current Year's PBMAS PEIMS Indicators
May – July:	Finalize Current Year's PBMAS Student Assessment Indicators Begin Next Year's Leaver Data Validation System Development
August:	Release Current Year's PBMAS Begin Next Year's Discipline Data Validation System Development Begin Next Year's Student Assessment Data Validation System Development

Throughout the Year: Provide ongoing technical assistance to LEAs and ESCs

As noted in (E) above, performance-based monitoring liaisons at each of the state's twenty regional ESCs are responsible for providing the districts in their regions with technical assistance and professional development related to the state's monitoring system.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

605 Performance Based Monitoring	
Federal Funds	319,234
General Revenue	444,484
605 Performance Based Monitoring Total	763,718

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

The work products of the division are used by other areas of the agency for many different purposes including making accountability, intervention, funding, auditing, grant eligibility, and sanctioning determinations as well as ensuring system safeguards are in place for critical agency data or products. These other areas of the agency include:

- Curriculum
- Accountability Research
- Student Assessment
- Performance Reporting
- Planning, Grants, and Evaluation
- Enterprise Data Management
- IDEA Coordination
- NCLB Program Coordination
- Program Monitoring and Interventions

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

All of the division's work is very closely coordinated with the other areas of the agency listed in Question H. There are frequent planning meetings, discussions, documentation review, and other ongoing activities conducted by the division to ensure its work products appropriately meet the needs of the other areas of the agency. Duplication is avoided because there are no other areas of the agency that produce the monitoring products that are produced by the Performance-Based Monitoring Division.

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

The division works very closely with the performance-based monitoring liaisons at each of the state's twenty regional ESCs.

K. Contracted expenditures made through this Division.

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Current statute enables the division to perform its functions effectively.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

Not Applicable

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

A. Guide to Agency Programs / Divisions	
Division Number:	606
Division Name:	Information Analysis Division
Division Director:	Nina Taylor
Expenditures, FY10:	1,093,548
Number of FTEs (8/31/10):	12.93

B. What is the objective of this division? Please describe the major activities performed.

The Information Analysis (IA) Division provides access to statistical educational data for a variety of stakeholders. The division’s major activities include:

- Updates and manages the Texas Public Education Information Resource (TPEIR), a longitudinal data warehouse that integrates student demographic, program, course and assessment data, with staff responsibility and certification data from TEA, and student and faculty data from the Texas Higher Education Coordinating Board.
- Maintains the TPEIR and LoneStar websites, providing the ability to generate longitudinal educational reports and data downloads.
- Fills information requests for internal and external customers by creating files and reports of student, staff and organization data using the Public Education Information Management System (PEIMS) database. Also creates CD-Roms containing school district staff data.
- Maintains PEIMS Standard Reports, a website that displays dynamically generated reports of school district geographic, enrollment, graduation, National Student Clearinghouse, staff and salary information.
- Maintains the Discipline Data Products website which provides reports and data downloads using PEIMS student discipline data.
- Provides data support for the 3 statewide Education Research Centers located at UT-Austin, UT –Dallas, and Texas A&M University – College Station.

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

IA staff possess significant expertise analyzing and reporting educational data, and the division has developed processes that provide for quick turnaround of data to high profile customers.

- Over 1400 information requests are completed annually.
- The TPEIR data warehouse is updated multiple times per year, and contains over .5 terabytes of data.
- 4 web systems are maintained, including several hundred reports and file download options.
- Multiple state and federal performance measures are calculated for other divisions.

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

The PEIMS Reporting function first began in 1990 to handle the growing demand for data from the PEIMS database. Over the years, the number of requests filled by this unit has increased dramatically, and the size and complexity of the requests have grown as well. The unit has worked to devise new

types of web products and CD-Roms over the years that can be used to fill data requests, rather than creating a customized response for each request.

In 1999, TEA began building a Prekindergarten – grade 12 public education data warehouse to provide integrated access to public education data collected by the agency. In 2001, the 77th Texas Legislature provided funding for TEA, THECB and SBEC to collaborate to build an integrated data repository. This effort resulted in a system that provides access to comprehensive longitudinal student and educator information from prekindergarten through the university level. The TPEIR website went live in 2003, and was redesigned for improved navigation in 2007.

In 2008, a position was added to the PEIMS Reporting Unit to provide data support for the Texas Education Research Centers. It was temporarily removed in 2009 and then reinstated in July 2010. In 2009 and 2010, the agency received funding from the State Longitudinal Data Systems Grants (2009 SLDS and SLDS-ARRA) as well as the Statewide Fiscal Stabilization Fund Grant (SFSF-ARRA), to load new types of data and create reports and other data products.

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

The PEIMS Reporting Unit provides services for education stakeholders, including internal TEA, legislators, independent school districts, Regional Education Service Centers, the general public, other state agencies, and higher education entities. Anyone may request data, although the general public and researchers may be charged in accordance with rates established for Public Information Requests. The following shows the percentages of data requests by type over the last year:

- Internal TEA – 19.3%
- Legislators – 4.0%
- Independent school districts – 4.6%
- Regional Education Service Centers – 4.0%
- General Public – 46.4%
- Other state and federal agencies – 18.6%
- Higher Education – 3.2%

The TPEIR Unit provides public education stakeholders with a large number of easily accessible reports that are available via the web. In addition, TEA program areas extract data from TPEIR for use in other automated systems.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

The division consists of two units – the TPEIR unit, and the PEIMS Reporting Unit. Each unit has a manager and 4 programmer/systems analysts. The unit managers report to the Information Analysis Division director.

Information requests are directed to the PEIMS Reporting manager who researches the request and logs it into a request tracking system. The request is assigned to a programmer who completes the request.

Quality assurance is done on the finished product, and it is then sent to the customer. Other staff are responsible for creating and updating web products.

The TPEIR Unit focuses on updating existing data stores and loading new types of data into the data warehouse and updating the reports on the TPEIR website. These tasks include data analysis, working with data modelers and technical staff who write the code to load the data, testing, documentation, reports development and training internal users. TPEIR staff also provide data extracts, as requested, for internal and external requestors.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

606 Information Analysis

Federal Funds	457,103
General Revenue	636,445

606 Information Analysis Total **1,093,548**

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

There are other analytic units within the agency who fill information requests and publish web reports, but the PEIMS Reporting Unit handles the majority of the requests and reports for PEIMS non-financial data. TPEIR is the largest repository of school district data at TEA, and the only TEA data warehouse that integrates Texas K-12, higher education, educator certification and workforce data. It allows for longitudinal analysis to follow students over time and identify patterns and trends.

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Analytic units are responsible for filling data requests related to their program areas. The PEIMS Reporting Unit focuses on requests for PEIMS student, staff and organization data, and also provides analytic unit support (creation of data files and reports) for other departments and divisions. Staff coordinate many data requests with other divisions in order that information requests are filled expeditiously with no duplication of effort.

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

The PEIMS Reporting Unit is responsible for providing data services for other state agencies including:

- Missing children searches for the Department of Public Safety (DPS),
- Summary education reports on foster children for the Department of Family and Protective Services (DFPS),
- Medicaid record matching for the Department of Health and Human Services (DHHS), and
- Data matching for the School Readiness Certification System for the Children's Learning Institute, and
- Inquiries from the US Department of Education.

K. Contracted expenditures made through this Division.

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Not Applicable

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

Not Applicable

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

A. Guide to Agency Programs / Divisions	
Division Number:	607
Division Name:	Data Development, Analysis and Research
Division Director:	Patricia Sullivan
Expenditures, FY10:	183,579
Number of FTEs (8/31/10):	2.00

B. What is the objective of this division? Please describe the major activities performed.

The Office of the Deputy Associate Commissioner for Data Development, Analysis, and Research provides strategic guidance in agency data collection, information analysis, and research functions. Primary duties of this division include policy development and project implementation for the following agency functions: governance of state K-12 public education data and information; responses to requests for information and data from the Public Education Information Management System (PEIMS); research on and development of academic excellence indicators, including high school completion, grade-level retention, college entrance examinations, and advanced courses and advance course examinations; educational accountability research and development; reporting for local and state decision support and policy making; and integration of educational data from three state agencies. In addition the division provides data support and data analysis for the Education Research Centers, and posts the district reporting schedule as required by TEC §7.037. The Deputy Associate Commissioner serves as the SEA representative to the National Forum on Education Statistics.

Some of the major activities under the direction of the Deputy Associate Commissioner:

- Annual research on and development of high school completion, dropout, promotion and retention, attendance, enrollment, SAT, ACT, Advanced Placement (AP), and International Baccalaureate (IB) measures. Participate in policy development and make policy recommendations on measures for accountability systems and other purposes. Implement policy decisions on educational measures.
- Annual reports on high school completion and dropouts, promotion-retention, enrollment, college entrance examinations, and Advanced Placement and International Baccalaureate examinations. Conduct research, writing, editing, format, layout, and printing for production of annual publications of profile, progress, and performance measures, including detailed statistical tables and policy analyses. Publications mandated by state law: Coordinate contributions to *Comprehensive Annual Report to the Legislature on Texas Public Schools*. Edit, format, layout, print, and manage distribution of the reports.
- Research, prepare, and update data files (student, campus, district, county, region, and state levels) as input datasets for state and federal accountability systems, reporting, research, evaluation, and program applications.
- Produce summary data tables for the public and media and respond to internal requests for data analyses in support of projects.
- Updates and manages the Texas Public Education Information Resource (TPEIR), a longitudinal data warehouse that integrates student demographic, program, course and assessment data, with staff responsibility and certification data from TEA, and student and faculty data from the Texas Higher Education Coordinating Board.

- Fills information requests for internal and external customers by creating files and reports of student, staff and organization data using the Public Education Information Management System (PEIMS) database.
- Maintains PEIMS Standard Reports, a website that displays dynamically generated reports of school district geographic, enrollment, graduation, National Student Clearinghouse, staff and salary information. Maintains the Discipline Data Products website which provides reports and data downloads using PEIMS student discipline data.
- Provides PK-12 data support for the 3 statewide Education Research Centers located at UT-Austin, UT –Dallas, and Texas A&M University – College Station.
- Convenes and manages the agency internal data governance committee which reviews all data collections to be made of the districts, as well as data implications from proposed rules. Additionally, the division posts the district reporting schedule and conducts a biannual review of all active district data collections.

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

The performance measures of Accountability Research support the effectiveness of this division as well, since that division reports to the Deputy Associate Commissioner.

LBB Performance Measures FY12-13

- 1.1.1 Percent of students completing high school
- 1.1.2 Percent of African American students completing high school
- 1.1.3 Percent of Hispanic students completing high school
- 1.1.4 Percent of White students completing high school
- 1.1.5 Percent of Asian American students completing high school
- 1.1.6 Percent of Native American students completing high school
- 1.1.7 Percent of economically disadvantaged students completing high school
- 1.2.15 Percent of students retained in Grade 5
- 1.2.16 Percent of students retained in Grade 8
- 1.2.17 Percent of students retained in grade
- 2.1.13 Annual statewide dropout rate for all students
- 2.1.22 Percent of graduates who take the SAT or college admission testing (ACT)
 - 2.1.1.1 Percent of underreported students in the leaver system
- New Percent of students graduating from high school
- New Percent of students continuing in high school
- New Percent of students receiving GEDs
- New Percent of students dropping out before graduation
- New Percent of Native Hawaiian or Other Pacific Islander students completing high school

TWIC Performance Measure

Educational achievement rate: Percent of students completing high school

IA staff possess significant expertise analyzing and reporting educational data:

- Over 1400 information requests are completed annually.
- The TPEIR data warehouse is updated multiple times per year, and contains over .5 terabytes of data.
- 4 web systems are maintained, including several hundred reports and file download options.
- Multiple state and federal performance measures are calculated for other divisions.

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

The Office of the Deputy Associate Commissioner was created in 2007. At that time data support for the Education Research Centers was part of the responsibility of this division. That responsibility was suspended in 2009 and re-instated in July 2010.

The two divisions that report to the Deputy Associate Commissioner have long histories at TEA. The Division of Accountability Research was formed in 2003, but has existed under other names with similar responsibilities since the 1970's. The Division of Information Analysis began in 1990 when PEIMS data first became available. Over the years, the demand for data has increased substantially, and resulted in the posting of data on the website as well as responding to individual requests. The data warehouse unit began in 2001, due to legislation. Policy and data support for the education research centers began in 2007 with statutory requirements.

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

This division interfaces with all divisions at TEA to ensure that all district data collections are approved and necessary, per TEC §7.060. Additionally, the division communicates with the Texas Department of Agriculture, and the Texas Health and Human Services agencies to complete the District Reporting Schedule. The division also works with both the Texas Higher Education Coordinating Board and the Texas Workforce Commissioner in the management of the Education Research Centers and acquiring data for the State Longitudinal Data Warehouse, known as TPEIR.

The PEIMS Reporting Unit, in the division of Information Analysis, provides services for education stakeholders, including internal TEA, legislators, independent school districts, Regional Education Service Centers, the general public, other state agencies, and higher education entities.

In the division of Accountability Research, campus and district personnel and organization information available through AskTED is used extensively throughout the agency and externally by school districts and the general public.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

There are two divisions that report to the Deputy Associate Commissioner for Data Development, Analysis and Research. The division of Information Analysis consists of two units – the TPEIR unit, and the PEIMS Reporting Unit. Each unit has a manager and 4 programmer/systems analysts. The unit managers report to the Information Analysis Division director. The division of Accountability Research has four units: Dropout and Completions Unit, who also completes the Retention Report and Enrollment Report; a unit that produces the reports on college admissions testing and Advanced Placement data; the unit that manages the AskTED administrators at the districts, and the publication unit.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

607 Data Development, Analysis and Research

Federal Funds	38,447
General Revenue	145,133

607 Data Development, Analysis and Research Total **183,579**

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

The Texas Higher Education Coordinating Board also provides data for the State Longitudinal Data Warehouse, as does the Texas Workforce Commissioner. Each of these agencies provides their data, and TEA houses the data and provides the support to provide matching, loading and quality assurance.

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

There are MOUs with both the Texas higher Education Coordinating Board and the Texas Workforce Commissioner regarding the data sharing.

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

The National Forum on Education Statistics is administered by the U.S. Department of Education and has both state and local representation from each state. This group meets twice annually, and also has specific task forces and workgroups, that publish best practices in the collection, analysis and use of education data. The Commissioner of Education appoints the state and local representatives.

K. Contracted expenditures made through this Division.

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Not Applicable

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

The Deputy Associate Commissioner and the divisions that report to this cost center provide a critical service because of comprehensive understanding of the very complex PEIMS data and education indicators with the capability to interpret those data and indicators for educational policy analysis.

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

Not Applicable

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

A. Guide to Agency Programs / Divisions	
Division Number:	611
Division Name:	Information Technology Services
Division Director:	Rick Goldgar
Expenditures, FY10:	21,440,965
Number of FTEs (8/31/10):	142.89

B. What is the objective of this division? Please describe the major activities performed.

The Information Technology Services Division (ITS) provides innovative technical solutions and services that enable educational stakeholders to efficiently help the students of Texas succeed in the global economy. ITS goals are to:

- Provide Information System services that meet education stakeholder needs;
- Protect and secure technology assets, information, and citizen privacy;
- Provide outstanding customer service;
- Innovate for business efficiency; and
- Recruit, develop, and provide an environment that encourages retention of excellent staff.

Executive oversight responsibility for all agency technical support functions, including information resources management, rests with the Commissioner of Education. Strategic responsibility for information resources management is assigned to the Deputy Commissioner Finance and Administration, Chief Operating Officer (COO) who also serves as the agency’s designated Chief Information Officer (CIO). Managing director of the ITS Division is the Chief Technology Officer (CTO)/Deputy CIO.

The ITS Division is responsible for overseeing agency information resources management in support of the agency strategic plan and coordinating the entire spectrum of technical information services across the agency. The ITS Division is responsible for the following key information technology functions:

- Information Resources Strategic/Operational Planning and Budgeting;
- Information Resources Policies and Procedures;
- Information Security (Information Security Officer);
- Project Management Office (New Development/Legacy System Support);
- Texas Student Data System (TSDS) Development Projects
- Business/Development Technologies;
- Data Center/Network/Customer Support Services;
- Database Development and Support;
- Independent Verification and Validation Testing;
- Software Configuration Management;
- Internet/Intranet Services;
- Business Continuity and Disaster Recovery; and
- Geographic Information Systems (GIS).

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

The ITS Division measures effectiveness and efficiency of division resources through results of numerous internal and external customer surveys and successful information system implementations, as well as statewide recognition awards received for the successful implementations of these systems.

Results of both internal and external customer surveys are used to gauge the level of customer satisfaction with delivery of information systems. Internal and external customer service surveys performed over the past 10 years include:

- Survey of Organizational Excellence (internal; prior to 2010);
- Customer Satisfaction Survey (internal/external; dates back to 2004 through current 2010 survey); and
- Survey of Employee Engagement (internal; 2010).

Successful system implementations include:

- Educational Materials Management System (EMAT);
- eGrants;
- PeopleSoft Financials/ISAS Upgrade;
- Educator and School Worker Fingerprinting and Background Checking;
- Foundation School Program (FSP) System;
- Charter School - School FIRST;
- Personnel Action Form (PAF) Online System; and
- State Performance Plan (SPP) Systems Indicators 7, 11, 12, 13, 14.

Awards won over the past 10 years include:

- 2011 Government Technology Award –Best Application Serving an Agency’s Business Needs - Foundation School Program System, FSP Rewrite Payment Module, Project Manager Connie Fannon;
- 2011 Government Technology Awards – Outstanding IT Support and Service, Barbara Rodriguez and Sandra Tate;
- 2010 Center for Digital Government Best of Texas Award – Excellence in Leadership, Rick Goldgar;
- 2010 Center for Digital Government – Best of Texas Award – Special Award for Technology Innovation – Consolidated Entitlements Management System;
- 2009 TASSCC Excellence Award for Innovative Use of Technology – Educational Materials Management System;
- 2008 Center for Digital Government – Best of Texas Best Collaborative Project Across Multiple Jurisdictions – Educator and School Worker Fingerprinting and Background Checking;
- 2006 Government Technology Conference Recognition for eGrants Application;
- 2005 Center for digital Government – Best of Texas Best Application Serving the Public – eGrants;
- 2003 Center for Digital Government – Best of Texas IT Collaboration Among Organizations – TPEIR; and
- 2002 Center for Digital Government – Best of Texas Excellence in IT Collaboration Award – PEIMS EDIT+.

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

The ITS Division established the TEA ITS Framework, the agency's clearinghouse and single point of reference for the agency's strategic and operational information technology processes. The TEA ITS Framework provides an approach to define, categorize, classify, and report on technology projects. This includes: facilitating the governance, management, and budgeting of technology projects; providing a basis for applying project management practices (PMPs) to delivery of technology projects to meet statutory requirements as identified in Texas Administrative Code (TAC) Title 1, Chapter 10, Rule §216; and facilitating the reporting of technology initiatives or procurements to internal and external entities.

ITS Division technical strategies are now driven by business needs rather than by the technology and are geared toward making the agency's operations more flexible and efficient. These technology strategies include:

- Use of BI tool sets;
- Use of SOA products;
- Use of Web portals;
- Public Education Information Management System (PEIMS) Rewrite; and
- Rollout of data encryption.

TEA continues its short-term investment in Services-Oriented Architecture (SOA) expertise. Use of SOA products allows for service-based applications and end-to-end, business-model-to-application deployment support, including integration of reusable application services. The agency also continues to expand its presence in BI analysis and reporting as well as data-warehousing expertise. The agency plans to leverage the power and flexibility of BI and data-warehousing tools to facilitate reporting against and between multiple data sources.

TEA plans to provide an integrated solution to better automate data capture and provide the reuse of built-in and custom modules through the blending of electronic forms, process management, document security, and document generation. The solution will allow the creation and management of forms with less programming, more security, and lower maintenance costs. The solution will provide applications that reduce paperwork, accelerate decision making, and help better ensure regulatory compliance.

TEA is replacing an aging security infrastructure and implementing new technology in support of its Security and Confidentiality Initiative (SCI), which will include comprehensive database security monitoring, implementation of application security tools, wider use of encryption, and replacement of its legacy identity and access management system. With the addition of 400,000+ potential users of the new online Educator Certification application, the agency will experience an increase in volume—more data, more users to manage—leading to a requirement for more automation. The agency's current partly-automated access management system—TEA SE—is scheduled for replacement as part of SCI.

The agency is a participant in the Data Center Services (DCS) outsource contract managed by the Department of Information Resources (DIR). In April 2007, the agency outsourced 10.5 FTEs, all TEA servers, and the mainframe to Team for Texas (TfT), the DCS service provider. The agency continues to work with TfT and DIR to complete consolidation of all servers to the consolidated data centers managed by TfT. Due to TfT delays and contractual issues between TfT and DIR, the agency has only completed consolidation of approximately 5% of all servers. This creates issues in supporting the servers due to system age and lack of funds to maintain support of the existing data center at the Travis

Building. The agency pays approximately \$8 million in annual DCS services.

The ITS Division is working closely with the Statewide Data Initiatives Division to provide information technology systems and solutions in support of the commissioner's Data Quality Priority. The Data Quality Priority will facilitate the use of data through state-of-the-art data systems for teachers, parents, and administrators and will continuously improve instruction at the student, campus, and district levels. To accomplish this priority, the agency is currently focused on the Texas Student Data System (TSDS) Initiative to develop a statewide solution to improve the availability and timeliness of high-quality, longitudinal, education data. The ITS Division established the Texas Student Data System (TSDS) Development Projects Division to provide technical support and project management services for the TSDS Initiative. This project team partners with the Data Quality Initiatives and Enterprise Data Management (EDM) Divisions to provide critical technical and project management skill sets for this initiative. Recognizing not only the need to improve its underlying architecture to collect and report data, but also improve the timeliness, relevance, and quality of information available to all stakeholders, the agency has pursued the TSDS initiative through a variety of funding sources other than general revenue to diagnose and address gaps in the current reporting system.

In 2011 as a result of the State's financial situation, the agency experienced two reductions-in-force (RIFs) which significantly impacted ITS Division resources. The division was restructured both organizationally as well as functionally, into a leaner and more focused business unit with an updated list of management priorities.

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

The ITS Division provides services that affect the daily business processes of agency staff; school districts; education service centers (ESCs); teachers/educators; state government; educational associations; and the public. As noted in the agency's strategic plan, 4.75 million Texas students attend 7,885 schools and are taught by approximately 321,000 teachers/educators. There are 1,030 ISDs and 437 charter schools operated by 205 charter holders (local educational agencies, or LEAs). Both ISDs and charters are organized under 20 regional ESCs. Primary state government customers are the Legislature, the Legislative Budget Board, the Comptroller's Office, the State Auditor's Office, as well as other state governmental entities.

The ITS Division supports the agency strategic/operational planning and budgeting processes through facilitating the collection and preparation of IT project information and budgets to meet statutory requirements applicable to all state agencies. This includes preparation of the IT components of the Agency Strategic Plan, the Information Technology Detail (ITD) and Biennial Operating Plan (BOP) components of the agency's Legislative Appropriations Request (LAR), the Information Technology Deployment Review (IRDR), the many deliverables of the Texas Project Delivery Framework (TPDF).

The agency supports the LEAs that are geographically disbursed throughout the state. The agency makes extensive use of Web-based applications and other communication tools to transact business statewide. LEAs access more than half of the agency's 70-plus data collection applications through the agency's Internet website.

The ITS Division provides application systems for all internal and multiple external constituents of the

agency. The application systems include systems that provide finances for schools, collect and analyze student and teacher data, support the processing of grants, and support the internal business functions of the agency. These and other related application systems are used by all internal customers in the agency, as well as school district administrators, parents, teachers, researchers, grantees, governmental entities, citizens of the state of Texas and corporations that are interested in data concerning school districts and their students.

Mission-critical application systems created and maintained by the ITS Division include:

- Foundation School Program (FSP) System – Administer and disburse approximately \$17 billion federal and state funds to public schools;
- eGrants System and Consolidated Entitlements Management System (CEMS) – Administer and disburse approximately \$2 - \$4 billion state and federal grant funds;
- Enterprise Resource Planning (ERP)/PeopleSoft Financials/Educational Materials (EMAT) System – Support textbook requisitions, purchasing, accounting, and distribution processes for districts for approximately \$186 million per year;
- Educator Certification (EdCert) System – Manage the educator certification and continuing education application system for approximately 400,000+ educators;
- Public Education Information Management System (PEIMS) – Manage the data collection, analysis, and reporting application systems for every student, campus, and district in Texas; includes financial staff and student/classroom data to support state and federal reporting requirements; approximately 1.2 TB data;
- Texas Public Education Information Resource (TPEIR) - A joint, cross-agency project managed by the Texas Education Agency and the Texas Higher Education Coordinating Board that provides stakeholders in public education - including but not limited to administrators, educators, state leadership, researchers, and professional organizations - with ready access to public primary, secondary, and higher education information for purposes of research, planning, policy development, and decision-making;
- Other application systems supported include, but are not limited to: Special Education, Charter School-Financial Integrity and Rating System of Texas, State Performance Plan Indicators, Texas Records Exchange, Child Nutrition, GED, Adult Education, and Physical Fitness Assessment Initiative.

The ITS Division directly affects the productivity of all agency employees by providing desktop and laptop seat management; network; printer; and software licensing services and support.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

The Office of the Chief Technology Officer (CTO)/Deputy Chief Information Officer (CIO) has direct responsibility for the ITS Division and is responsible for overseeing agency information resources management in support of the agency strategic plan and coordinating the spectrum of technical information services across the agency.

The Business Operations Division is responsible for administering and coordinating ITS Division operations; defining, developing, and implementing ITSP procedures; maintaining current division operating budget, accounting, and purchasing activities; procurement of contract resources; and

managing division infrastructure needs such as office space, supply, and personnel.

The Planning and Special Projects Division is responsible for the IT strategic/operational planning and budgeting processes, managing IT-related legislative activities, business continuity and disaster recovery planning, and the TEA IT Framework. This division is the office of primary responsibility for all IT-related communications with oversight agencies including the Governor's Office of Budget and Planning, Legislative Budget Board, Department of Information Resources, and the State Auditor's Office. The agency's technology environment continues to undergo changes to support education legislation and the agency's strategic and operating plans. Strategic planning for information technology (IT) initiatives, as well as operational planning and budgeting for IT initiatives, projects, or major procurements in current or future biennia is an integral part of the agency's strategic planning process and the Texas two-year budget process/cycle as required by the Information Resources Management Act.

The Information Security Officer (ISO) is responsible for establishing and maintaining information security standards and procedures in compliance with state information security and risk management policies, standards and guidelines. The ISO is responsible for preparation of security reports as required by statute.

The Project Management Office (PMO) is responsible for developing and maintaining automated information systems that support mandated agency and program area needs using PMPs. The PMPs are critical components of the TEA ITS Framework and provide guidance, best practices, standards, and tools to optimize project management and performance of IT projects. The PMO uses the Agile methodology for software development, building automated systems using incremental and iterative processes. Transition to this methodology has resulted in more timely delivery of higher quality automated systems to customers.

The IT Operations Division is responsible for internal agency IT customer services, providing the following operational support functions:

- Computer Access/Security;
- Data Center Services-management of DCS contract;
- Database Development and Support;
- Network Support- desktop and laptop seat management; network; printer; software licensing services;
- Configuration Management and Technology Deployment;
- Internal Change Control Board.

The Business and Development Technologies Division is responsible for providing support for:

- Business Analysis;
- Business Intelligence Tools;
- Technical Writing/Documentation;
- Independent Verification and Validation (IV & V) Testing.

Business analysis is the discipline of identifying business needs and determining solutions to business problems while identifying changes to an organization that are required for it to achieve strategic goals. Commercial Business Intelligence (BI) tools are used to leverage the agency's "data-centric" technology strategy and allow for better and more flexible analysis and reporting. Independent verification and validation ensures all software systems & solutions developed or purchased by the agency meet business needs and quality standards.

The Texas Student Data System (TSDS) Development Projects Division is responsible for providing technical support and project management services for the Texas Student Data Systems Initiative. This project team partners with the Data Quality Initiatives and Enterprise Data Management (EDM) Divisions to provide critical technical and project management skill sets for this initiative.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

611 Information Technology Services

Federal Funds	8,701,383
General Revenue	11,481,367
Other Funds	1,258,216

611 Information Technology Services Total 21,440,965

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

The contract for statewide Data Center Services (DCS), executed by the Texas Department of Information Resources (DIR) in April 2007 is required to provide the agency with mainframe and server hardware procurement, refresh, and support, along with related software. These technology needs are required to be addressed by the DCS service provider, the Team for Texas (TfT), led by IBM. TEA anticipates the demand for its IT products and services will continue at the current or possibly even a higher level. The Legislative Budget Board (LBB) considers DCS expenditures to be capital expenditures. The agency continues to plan for technology growth and procure services through the DCS contract as required by statute.

As a member of the DCS outsource project, TEA provides similar services in management of the TEA servers. TfT is contracted to manage the servers, however, some of the outsourced functions and work have fallen back to TEA due to a lack of support or response from TfT. ITS Operations staff continue to support many application utilities that should be managed by TfT, as well as support Wintel and AIX functions to ensure proper maintenance and response to issues.

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The agency participates in the DCS Governance Groups created to assist DIR in managing the TfT and future DCS contracts. The agency participates in the Business Leadership Council, the Services Delivery Governance Group, and the Transformation Governance Group. The agency is also participating in the review and award of the new DCS RFO released to replace TfT. By being involved in the governance and contract renewal TEA hopes to address current and avoid future issues in DCS services.

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

The ITS Division provides support for the State Board for Educator Certification (SBEC) application system which interfaces with the Federal Bureau of Investigation (FBI) and Texas Department of Public

Safety (TxDPS) to process fingerprints from applicants and perform a national criminal history background check for state licensing purposes.

K. Contracted expenditures made through this Division.

Division Contracts Over 50k - FY10			
Division Number	Description	Contract Amount	Total Expenditures
611	PEOPLESOFT MAINTENANCE	6,080,260.00	1,350,707.68
611	PEIMS	3,889,817.80	1,313,613.72
611	DMSS SURVEY	70,000.00	69,975.00
611	TEXAS RECORDS EXCHANGE PROJECT	576,760.00	153,942.83
611	MAINTENANCE OF MULTIPLE APPLICATIONS	2,293,748.82	795,573.01
611	CPA-ANNUAL ERP PEOPLESOFT	272,469.02	135,240.84
611	TIBH TEMP CONTRACT	5,000,000.00	61,085.48

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Recommendation: Remove (from the GAA) the redundant statutory requirement for reporting major information resources projects to the Bond Review Board.

Each biennium all agencies are required to provide capital planning information to the Bond Review Board (BRB) to meet the requirements of the General Appropriations Act (GAA) Provisions Related to Real Property, Statewide Capital Planning (SB1 81st Legislature, Article IX, Part 11, Sec. 11.02.). The information is used by the BRB each biennium (even years) to compile their statewide capital expenditure plan which they file with the Governor and the Legislative Budget Board. The purpose of the statewide capital plan is to identify the state’s capital needs and alternatives to finance these needs. This statutory requirement applies to all state projects requiring capital expenditures for:

- Land Acquisition;
- Building or Other Facility Construction;
- Building/Other Facility Renovations (total \$1 million or greater in one year); or
- Major Information Resources Projects (total \$1 million or greater in one year)

This statutory item appeared sometime around 75th Legislature (1996-1007) in the GAA and has continued each biennium since with either minimal or no changes. Capital Expenditure Plans (2004-2011) are available for viewing at the Texas Higher Education Coordinating Board (THECB) website. In reviewing these documents, it should be noted the majority of information is related to land, building, or facilities. References to information systems are only seen at the summary (graphs, charts) level-no detail is in these reports.

The statutory requirement for providing information about major IR projects dates back before the data center services legislation (HB1516, 77th Legislature) was enacted. This new legislation resulted in new reporting requirements for agencies, making the BRB Capital Expenditure Plan reporting redundant and unnecessary.

The agency respectfully requests the BRB statutory requirement for information systems be reviewed.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

Not Applicable

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

A. Guide to Agency Programs / Divisions	
Division Number:	616
Division Name:	Statewide Data Initiatives
Division Director:	Brian Rawson
Expenditures, FY10:	<i>Not Applicable</i>
Number of FTEs (8/31/10):	<i>Not Applicable</i>

B. What is the objective of this division? Please describe the major activities performed.

The Statewide Data Initiatives organization is responsible for providing oversight and coordination of critical agency enterprise data initiatives, all in an effort to improve data-driven decision making across the Texas public education system. One of the organization's major initiatives, the Texas Student Data System (TSDS), will be a practical and powerful statewide solution that will increase the availability of data to support the state's educational and data quality improvement efforts. The organization also provides leadership to the Enterprise Data Management Division, the organization responsible for the planning and management of a number of mission-critical data systems including the Public Education Information Management System (PEIMS), the system which enables the administration of the state accountability system and school finance system.

Major activities performed include:

- Overall project leadership on the Texas Student Data System (TSDS) initiative, a multi-project, strategic data improvement initiative combining a multitude a funding resources (\$40+mllion in federal, ARRA, private, state funds). This effort is synonymous with the Commissioner of Education's Data Quality Priority.
- Oversight responsibility for the Enterprise Data Management (EDM) division, the organization responsible for the planning, design, and support of statewide, school district data collection systems for state and federal reporting. The Division serves 1200+ School Districts, 20 Regional Education Service Centers, and manages over 70 million student records in a typical school year.
- Leadership and outreach on enterprise data issues on behalf of the Commissioner of Education, primarily focusing on four major constituent groups: Federal Government, Private Funders, Texas School Districts, TEA Staff.

See division 603, Enterprise Data Management for more detail.

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

Not Applicable

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

Texas has been on the forefront of delivering education services and programs to a diverse student population. As such, TEA recognized early that data was integral to understanding what types of programs students and educators need and the cost of delivering these programs.

While Texas has been a leader in collecting education data from districts, its current systems and processes do not efficiently or effectively support the increasing demands to provide timely, transparent, accessible, and actionable data back to local educators. Recognizing not only the need to improve its underlying architecture for data collection and reporting, but also the need for timely, relevant, and high-quality information for local educators and other relevant stakeholders, TEA has been actively engaged in a number of major projects, both privately and federally funded, to diagnose and address gaps in the existing state data systems.

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

This organization exists to facilitate and direct efforts across organizational boundaries both within, and outside the Texas Education Agency (Federal Government, Private Funders, Texas School Districts, Regional Education Service Centers, TEA Staff). As such, it coordinates a variety of resources across a broad spectrum of education data management stakeholders in Texas.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

Not Applicable

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

* Illustrated in Section V, H, indexed by division number.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

Not Applicable

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Not Applicable

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

Not Applicable

K. Contracted expenditures made through this Division.

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Not Applicable

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

Not Applicable

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

A. Guide to Agency Programs / Divisions	
Division Number:	701
Division Name:	Planning, Grants and Evaluation
Associate Commissioner:	Nora Hancock
Expenditures, FY10:	308,545
Number of FTEs (8/31/10):	3.00

B. What is the objective of this division? Please describe the major activities performed.

The Office for Planning, Grants and Evaluation (OPGE) is responsible for creating and maintaining the framework and structure for the agency’s strategic plan development, Legislative Budget Board (LBB) performance measure reporting, centralized grant administration, and eGrant development. The department supervises and monitors expenditures of both high-risk grantees and non-high-risk grantees, monitors America Reinvestment and Recovery Act (ARRA) grant expenditures, and conducts required federal reporting under both ARRA and the Federal Funding Accountability and Transparency Act (FFATA). The department also conducts and manages state and federal program evaluations and Education Research Center (ERC) directed studies and reports.

OPGE is responsible for the oversight of the following divisions within the department:

- Office of the Chief Grants Administrator, which includes the Fiscal Accountability and Federal Reporting Unit (FAFRU)
- Evaluation, Analysis, and Planning
- Discretionary Grants
- Formula Grants Administration

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

Please refer to the responses from the divisions under OPGE supervision for more detailed information regarding key statistics or performance measures.

Please also see TEA’s [2010 Customer Satisfaction Survey](#).

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

OPGE was created as part of the agency reorganization process of September 2003. The department was created to centralize the administration of discretionary and formula grants, including the allocation process, to ensure consistency, accuracy, and accountability. Additionally, the department was created to ensure, through coordinated strategic planning and the evaluation of grant programs, that agency funds are spent effectively and efficiently, with adequate and timely reporting to stakeholders and customers.

In March of 2010, responsibility for ARRA coordination for TEA was transferred to OPGE. This responsibility included coordinating efforts with the Governor’s office and other state agencies,

coordinating subrecipient monitoring efforts across the agency, and coordinating agency responses to audits, surveys, questionnaires, public information request, legislative requests, etc. related to ARRA. As part of this transfer FAFRU was created to monitor ARRA and high-risk grantee grant expenditures, to recommend and implement enforcement actions based on audit and monitoring findings, and to coordinate and conduct required reporting to the federal government under ARRA and FFATA.

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

OPGE serves various stakeholders, including:

- local educational agencies (LEAs), including independent school districts (ISDs) and open enrollment charter schools
- private schools
- institutions of higher education (IHEs)
- members of the Texas legislature
- members of the State Board of Education (SBOE)
- other state agencies, such as the Texas Higher Education Coordinating Board (THECB) and the LBB
- the Governor’s office
- members of the public
- federal agencies, such as the U.S. Department of Education (USDE) and the Government Accountability Office (GAO)
- other TEA divisions

There are no eligibility requirements for serving these entities. OPGE is responsive to requests from stakeholders and customers.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

Please refer to the responses from the divisions under OPGE supervision for more detailed information regarding administration of department functions.

The Associate Commissioner for OPGE is a member of senior leadership at TEA and reports directly to the Deputy Commissioner for Finance and Administration/Chief Operating Officer/Chief Information Officer.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

701 Planning, Grants, and Evaluation

Federal Funds	122,492
General Revenue	185,256
Other Funds	797

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

THECB also grants funds to IHEs.

Internally, the 2003 reorganization process eliminated duplicate functions across divisions and departments and centralized key operations. OPGE coordinates with other agency divisions and departments to ensure that subrecipient monitoring efforts are integrated rather than duplicative.

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The Texas Legislature determines which grant programs state agencies manage. TEA and THECB manage different grants and/or different programs within grants.

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

The department grants both state and federal funds to LEAs, including ISDs and open enrollment charter schools, non-profit entities, regional education service centers (ESCs), and IHEs. The department administers formula and discretionary state and federal grant funds awarded to these entities and also monitors grantees for programmatic and fiscal compliance.

The division also manages contracts with education research centers (ERCs) for research studies and evaluations that ERCs complete at the direction of TEA.

K. Contracted expenditures made through this Division.

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Not Applicable

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

Not Applicable

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

A. Guide to Agency Programs / Divisions	
Division Number:	702
Division Name:	Chief Grants Administrator
Division Director:	Earin M. Martin
Expenditures, FY10:	219,622
Number of FTEs (8/31/10):	4.96

B. What is the objective of this division? Please describe the major activities performed.

The office of the Chief Grants Administrator in TEA's Office for Planning, Grants and Evaluation (OPGE) creates and maintains the framework and structure for a centralized grants administration system with the primary goals of achieving compliance with state and federal statutes, regulations, and rules and avoiding audit exceptions for TEA. It accomplishes this by developing and establishing policy and procedures related to the administration of grants and by promoting standardization and consistency in the treatment of grants. The division supervises and monitors the distribution, award, payment, desk monitoring, and close out of federal and state, formula and discretionary grant funds to eligible recipients. This division also monitors expenditures of high-risk grantees; monitors American Recovery and Reinvestment Act (ARRA) expenditures; conducts federal reporting under ARRA and FFATA (Federal Funding Accountability and Transparency Act); provides strategic direction for eGrants; and participates in the annual State Single Audit.

Specifically, the division is responsible for:

- Providing critical information, guidance, technical assistance, and training to department and agency staff related to grants administration issues, including maintaining the Request for Application (RFA) and Standard Application System (SAS) templates.
- Supervising and monitoring the fiscal control and fund accounting, allocation, distribution, review, award, payment, desk monitoring, close out, refunds, and record retention of state and federal formula and discretionary grants to ensure compliance with federal cost principles and grant requirements.
- Monitoring expenditures of high-risk grantees
- Monitoring of timely draw downs and expenditures under the ARRA by grantees
- Conducting quarterly reporting under Section 1512 of ARRA; monthly reporting under FFATA; and annual reporting to the Governor's Budget and Planning Office on federal funds received by TEA
- Reviewing TEA audit reports and independent audit reports to determine necessary implementation of next steps including imposing special conditions, enforcement actions, and refund requests
- eGrants planning and administration
- Coordinating responses to audits by federal oversight agencies

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

The Chief Grants Administrator oversees the distribution and administration annually of over \$3 billion in federal formula and discretionary funds and \$600 million in formula and discretionary state funds to school districts, open enrollment charter schools, nonprofit organizations, and other grantee

organizations. In addition, during the 2009-2010 and 2010-2011 school years, an additional \$6.2 billion in federal ARRA funds was distributed to school districts and open enrollment charter schools.

The Fiscal Accountability and Federal Reporting Unit (FAFRU) in OPGE:

- Monitors all federal expenditures for approximately 14 high-risk grantees
- Conducts monthly sampling monitoring for 5 ARRA grantees per month
- Conducts quarterly Section 1512 reporting for all ARRA grants received by the Agency for a total of 6,400+ federal ARRA Notices of Grant Award (NOGAs)
- Monitors ARRA reporting for approximately 198 ARRA infrastructure projects
- Monitors and reports on draw down rate for 6,100+ ARRA NOGAs
- Reviews approximately 20 TEA audit reports annually and implements enforcement actions and/or special conditions
- Reviews approximately 20 independent audit reports with questioned costs annually and requests refund

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

Not Applicable

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

This division partners with program divisions and with the Divisions of Formula Grants Administration, Discretionary Grants, and Financial Audits to monitor expenditures of high-risk grantees, monitor expenditures of ARRA funds, and comply with federal reporting requirements.

The Chief Grants Administrator communicates with divisions across TEA, including all program divisions, such as NCLB Program Coordination and IDEA Coordination; the Budget office; Accounting office; Legal division; Financial Audits; Internal Audits; Discretionary Grants; Formula Grants Administration; and FAFRU to provide technical assistance and guidance and to recommend policy related to grants administration issues with the goal of avoiding audit exceptions for TEA. An extensive working knowledge of the federal cost principles, uniform administrative grant requirements, and other statutes, rules, and regulations affecting grants administered by TEA is required.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

The Senior Director of Discretionary Grants, the Senior Director of Formula Grants Administration, and the Director of the FAFRU report directly to the Chief Grants Administrator, who reports directly to the Associate Commissioner for OPGE. This structure assists agency management in providing consistency in the treatment of formula and discretionary grants where practical. The office administers the OPGE policies for identification of a high-risk grantee and for enforcement actions.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

702 Office for Grants and Evaluation

Federal Funds	44,333
General Revenue	174,992
Other Funds	297

702 Office for Grants and Evaluation Total 219,622

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

There are no other areas inside TEA or outside of TEA that provide a centralized grant administration system for all state and federal, formula and discretionary grants administered by TEA. The program divisions are separate divisions within TEA and ensure compliance with program statutes and regulations, while the Office of the Chief Grants Administrator and the Divisions of Formula Grants Administration, Discretionary Grants, and FAFRU ensure compliance with fiscal requirements and uniform administrative grant requirements.

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency’s customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The Chief Grants Administrator develops and maintains “templates” for use by the Divisions of Discretionary Grants and Formula Grants Administration and the various program divisions in developing their program-specific documents related to the grant application and the supporting documents such as the general and fiscal guidelines, program guidelines, instructions for completing the grant application forms, and the grant application forms. The Chief Grants Administrator collaborates with the appropriate divisions as well as the Division of Financial Audits and the Legal Division when applicable.

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

The Chief Grants Administrator communicates with staff members at the US Department of Education (USDE) for guidance related to general grants administration issues. The USDE is the federal grantor agency for the majority of federal funds received by TEA.

FAFRU staff members communicate on a regular and frequent basis with high-risk grantees with regard to documentation for expenditures; with ARRA grantees with regard to quarterly Section 1512 reporting and 1511 reporting and monitoring; and with school districts and open enrollment charter schools in the review of TEA audit reports and independent audit reports.

K. Contracted expenditures made through this Division.

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

None

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

Not Applicable

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

A. Guide to Agency Programs / Divisions	
Division Number:	705
Division Name:	Evaluation, Analysis, and Planning
Division Director:	Ellen Montgomery
Expenditures, FY10:	1,747,376
Number of FTEs (8/31/10):	19.39

B. What is the objective of this division? Please describe the major activities performed.

The Division of Evaluation, Analysis, and Planning (EAP) is responsible for the following key functions:

- Developing the agency-wide strategic planning process;
- Administering TEA's performance measure reporting system;
- Reporting of district-level, financial state and federal grant data;
- Evaluating key education initiatives and state- and federally-funded grant programs.
- Providing contract management for research studies carried out by Educational Research Centers at the direction of TEA.

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

The division has consistently produced a timely strategic plan biennially under cross-agency processes that undergo continuous improvements which contribute to production efficiency and product utility. Every quarter the agency's performance measures are updated on time and accurately in ABEST, incorporating biennial changes negotiated with the Legislative Budget Board. In the past year alone, the division has published over twenty program evaluation reports and ERC studies mandated by the legislature or required by the federal government.

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

The primary change to the function of the division in recent years has been an expansion of responsibility in July 2010. At that time, responsibility for the oversight and management of studies conducted by ERCs for TEA was transferred from the closing Division of Educational Research and Policy to EAP.

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

The stakeholders for the functions of this division include agency leadership, the legislature (including legislative staff and the LBB), recipients of agency grant program funding (primarily the state's 1200+ school districts and open-enrollment charter schools), private funding partners (e.g., Gates Foundation) and the general public.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

Within EAP, the director guides two sets of functions that are primarily structured around biennial requirements. The functions of the Planning and Performance Measures unit follow the quarterly, annual and biennial milestones promulgated by the LBB. Much of the work of the Program Evaluation Unit is timed by the legislative cycle, with a biennial evaluation agenda established in the summer of each odd numbered year, with the bulk of reporting made available every other winter just as the session begins. While the direct functions of the division are carried out at agency headquarters, this work is leveraged by the use of evaluation contractors that commonly collect data in the field.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

705 Division of Evaluation, Analysis and Planning	
Federal Funds	300,534
General Revenue	1,446,842
705 Division of Evaluation, Analysis and Planning Total	1,747,376

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

Most state agencies have personnel responsible for the strategic planning and performance measurement requirements of the LBB; EAP performs this function specifically for TEA. Additionally, other state agencies have personnel that conduct or oversee evaluations of their programs; EAP is responsible for the evaluation of state and federal education grant programs for TEA. In the case of certain studies that relate to the full P-16 span of education, there may be shared responsibility for ERC studies between TEA and the Texas Higher Education Coordinating Board (THECB).

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

TEA shares oversight of the work of the Education Research Centers with the THECB in an arrangement delineated in a MOU as stipulated in TEC Ch. 1, Sec. 1.005.

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

The division interfaces with local education agencies (school districts and open-enrollment charters) in the course of conducting grant program evaluations and ERC studies. Provision of progress reports and/or evaluation data by grantees to TEA is typically a grant program requirement. The division also works indirectly with the US Department of Education through EAP's collaboration with TEA program areas for federally mandated evaluation of federal grant programs, such as 21st Century Community Learning Centers.

K. Contracted expenditures made through this Division.

Division Contracts Over 50k - FY10			
Division Number	Description	Contract Amount	Total Expenditures
705	EVAL OF GOV EDU EXCL AWARD GRN	379,246.00	12,462.00
705	EVAL OF THE GEEAP: TEEG	1,049,995.00	33,337.00
705	EVALUATION OF 21ST CCLC	384,500.00	2,818.75
705	SCHOOL DROPOUT PREV & REENTRY	250,000.00	3,301.74
705	EVALUATE TX HIGH SCHOOL PROJEC	9,382,963.00	2,774,154.00
705	ICF- EVALUATION OF TALA	1,247,669.00	277,431.00
705	TCER-EVALUATION OF NEW CHARTER SCHOOLS	350,000.00	150,000.00
705	TCER-EVALUATION OF CHARTER SCHOOLS	350,000.00	127,087.00
705	EVALUATION OF RURAL TECHNOLOGY PROGRAM	400,000.00	110,710.00
705	EVALUATION OF HIGH SCHOOL SUCCESS	1,509,871.00	588,708.00
705	EVALUATION OF DATE	724,500.00	231,020.00
705	EVALUATION OF DROPOUT RECOVERY PROGRAM	376,824.00	110,389.00
705	EVALUATION OF TNGTI	373,513.00	186,578.00
705	TEACH FOR AMERICA- EVALUATION	160,000.00	5,003.65
705	EVALUATION OF TEACHER PROFESIONAL DEV PROGRAM	2,000,000.00	110,336.49
705	TIBH TEMP CONTRACT	5,000,000.00	9,956.25

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Necessary statutes are in place.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

LBB Strategic Plan Instructions -

http://www.lbb.state.tx.us/Strategic_Plans/StrategicPlansInstructions_forFY_2011-2015.pdf

LBB Performance Measures Instructions -

http://www.lbb.state.tx.us/Performance%20Measures/PerformMeasureReporting_Agencies_1209.pdf

Example EAP Products:

Strategic Plans - http://www.tea.state.tx.us/index4.aspx?id=3442&menu_id=949

Program Evaluation Reports - http://www.tea.state.tx.us/index4.aspx?id=8018&menu_id=949

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

Not Applicable

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

A. Guide to Agency Programs / Divisions	
Division Number:	711
Division Name:	Discretionary Grants
Division Director:	Kathleen Mihalik
Expenditures, FY10:	2,844,473
Number of FTEs (8/31/10):	34.08

B. What is the objective of this division? Please describe the major activities performed.

The Division of Discretionary Grants (DG) facilitates discretionary grant funding, as authorized by state and federal law, to school districts and other grantees in support of programs and initiatives to improve student performance and the high school graduation rate. The division works in partnership with designated Texas Education Agency (TEA) program divisions to oversee the timely obligation of funds and to administer and manage all fiscal and legal aspects of TEA’s federal and state discretionary grants, including the following functions:

- Collaborating with the program divisions to determine the use of funds and developing appropriate subsequent documentation
- Developing and publishing the request for application (RFA) and Standard Application System (SAS) for each discretionary grant program
- Updating and maintaining template models for the RFA and SAS for the agency to align with current and new federal requirements
- Conducting the competitive review process
- Conducting the programmatic and fiscal review of applications for compliance with program statutes and fiscal rules
- Subrecipient monitoring
- Negotiating, funding, processing payments, and performing close-out of each grant application selected for funding

DG also provides technical assistance to the program divisions and collaborates in the development of appropriate reporting and evaluation mechanisms to measure the impact of grant activities on improving student performance and the high school graduation rate. The division participates in federal and state audits of grant programs and conducts all activities related to grants administration, including managing the General Application of Assurances, maintaining model documents such as the model RFA and SAS, approving all grant application packages prior to publication, and providing technical assistance and training to TEA staff with regard to grants administration. The division posts discretionary grant information to the TEA Grant Opportunities calendar. TEA’s Document Control Center (DCC), operated in DG, receives and logs in all competitive and noncompetitive applications on deadline days. The DCC also tracks all paper applications received, processed, and funded by the division.

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

TEA is the fiscal agent for state and federal grant programs. According to an October 2010 Legislative Budget Board publication, TEA has several of the top 100 federal grant programs administered by the state of Texas. DG has many federal grant programs that are required to be competitively awarded. The

division received, processed, and distributed approximately 443 federal, 110 ARRA, and 1,306 state grant awards and 1,100 amendments in 2009–2010.

Actual Performance Measures for Discretionary Grants

Percentage of Applications Awarded Prior to Start Date of Grant and within 90 Days

Actual Performance, 9/1/2010–6/30/2011	Electronic Grants (eGrants)	Paper Grants	Total Grants
	93.52	60.77	69.51

Performance Measure Targets for Discretionary Grants

Performance Measure Targets through 2013

2008	2009	2010	2011	2012	2013
60%	65%	70%	75%	75%	80%

The projections for 2012 and 2013 were made under the assumption that federal and state funding would remain fairly constant and that no significant programs would be added or deleted for implementation through 2013. It is also assumed that the current number of FTEs assigned to DG will remain constant through 2013, that all positions will be filled at all times, and that the division will be able to stagger the start date of each grant program, as is currently the practice. The division used trend analysis as well as actual performance production to determine the levels of future performance projects.

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

Prior to the agency’s September 2003 reorganization, DG was primarily a funding division that provided fiscal and legal review and guidance related to grants administration and grants management issues. DG conducted only a fiscal review of grant applications, issued Notices of Grant Award (NOGAs) to grantees, and made payments to grantees. With the 2003 reorganization, the division was dissolved and reconstituted. In addition to the fiscal review, DG now conducts program/fiscal review and final compliance review to verify the presence of statutory requirements. This structure allows TEA to issue the majority of NOGAs prior to the start date of grant.

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

This division partners with program divisions and with the Budget, Accounting, and Financial Audits divisions to set up and close out grant program funds, monitor expenditures, and comply with federal cost principles, uniform administrative grant requirements, and other statutes, rules, and regulations affecting grants administered by TEA as required.

In addition, DG communicates with local educational agencies (LEAs) and the 20 Texas regional education service centers in the negotiation of grant applications, amendments, and payments to grantees.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

The Director of DG reports directly to the Chief Grants Administrator, who reports directly to the Associate Commissioner of the Office for Planning, Grants and Evaluation (OPGE). This management structure ensures a centralized grants administration process for the agency's formula and discretionary funds. The centralized process provides consistency in the treatment of processing and administering grants where practical.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

711 Discretionary Grants Administration

Federal Funds	1,059,368
General Revenue	1,769,311
Other Funds	15,794

711 Discretionary Grants Administration Total 2,844,473

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

The divisions of Discretionary Grants and Formula Grants Administration provide the following common services:

- Collaborating with program divisions to ensure appropriate distribution of funds as required by law, rule, or agency management
- Processing payments, conducting subrecipient monitoring, and performing close-out of grant applications
- Developing and publishing paper and electronic grant applications
- Announcing, receiving, processing, and fiscal negotiation of applications for funding (Note: DG also negotiates programmatic compliance prior to awarding grants as a part of the centralized grants administration process to ensure timely awards to LEAs)
- Providing technical assistance to grantees and grant applicants, including processing and negotiating grant applications and amendments
- Maintaining delivery and communication systems between TEA and grantees
- The two divisions differ in the methodology and processes used to award funding to eligible recipients.

Formula Grants Administration awards funds through a noncompetitive process based on formulas and eligible applicants as prescribed in statute and/or rule. If an eligible recipient meets the criteria for funding, the amount of its allocation is determined based on a mathematical formula that is specified in statute or rule, and the applicant submits an application for funding. If the application meets all requirements, the eligible applicant receives the funding.

Discretionary Grants awards funds through a competitive or discretionary noncompetitive process. Eligible applicants are determined based on statute. Competitive grant applications are scored through a

systematic review process. Noncompetitive grants are awarded based on statute and agency priorities. Grant applications are negotiated for program and fiscal compliance.

DG and Formula Grants Administration are a part of OPGE. There are no other areas inside TEA or outside of TEA that provide a centralized grant administration system for all state and federal, formula and discretionary grants administered by TEA.

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency’s customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

DG and Formula Grants Administration are within OPGE. Both the OPGE divisions use standard application forms for grant applicants, the agency’s customers. Formula and DG grantees use the same systems to request payments, and OPGE provides consistent policies for DG and Formula Grants Administration.

Weekly meetings are held with department and division managers to address issues pending for both formula and discretionary grants, allowing for continued communication between and among the divisions to ensure programs are appropriately placed, to assist each other in problem solving, and to avoid any potential duplication of effort.

DG and Formula Grants Administration coordinate the planning and development of the agency’s grant funds with various program divisions. The grant managers in both divisions work as liaisons to ensure the quality and consistency of program-specific documents related to the grant application and the supporting documents, such as the general and fiscal guidelines, program guidelines, instructions for completing the grant application forms, and the grant application forms.

DG works cooperatively with the Budget and Accounting divisions to ensure the accurate, consistent, and timely award of discretionary grants and monitors the fiscal compliance of state and federal grants. DG also coordinates with Financial Audits to provide information to regulatory agencies and to stakeholders.

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

This division processes grant applications and checks for the program and fiscal compliance for state and federal grants. The division communicates with staff members at the US Department of Education (USDE) for guidance related to general grants administration issues. The USDE is the federal grantor agency for the majority of federal funds received by TEA.

K. Contracted expenditures made through this Division.

Division Contracts Over 50k - FY10			
Division Number	Description	Contract Amount	Total Expenditures
711	UT AUSTIN - TALA	1,656,539.00	121,386.60
711	HCDE - ADULT EDUCATION	3,837,900.00	103,657.46
711	TEACHER ADVANCEMENT PROGRAM	415,653.30	160,964.84

Division Contracts Over 50k - FY10			
Division Number	Description	Contract Amount	Total Expenditures
711	PRINCIPLESOFTECH/PHYSICS GRANT	149,999.36	32,756.68
711	CARDIOVASCULAR SCREENING	1,000,000.00	57,617.80
711	DEVELOPMENT OF GEARUP KITS	18,665,514.39	592,660.51
711	ESC4 - TXVSN ONLINE COURSES	1,550,000.00	902,111.30
711	UTHSCH-TPRI	4,091,146.15	285,087.93
711	ESC10-CENTRAL OPERATIONS FOR TXVSN	3,925,000.00	1,701,250.00
711	TAMUCC-LIMITED ENGLISH PROFICIENCY	1,000,000.00	741,783.35
711	ASSISTANCE TO GEAR UP PROJECT	1,000,000.00	295,841.08
711	ELA TEKS TRAINING	1,900,000.00	1,165,447.46
711	COLLEGE READINESS STANDARDS	490,150.00	173,603.00
711	LONE STAR COLLEGE- ADV TECHNICAL COURSES	200,000.00	50,863.52
711	21ST CCLC GRANTEES	7,471,438.34	2,299,374.60
711	WEATHERFROD COLLEGE-TX COUNSELORS NETWORK	200,000.00	73,726.09
711	GEAR UP GRANT, STAR	204,803.00	68,899.00
711	TX SCHOOL READINESS PROJECT	5,779,758.00	2,338,608.60
711	COLLEGE BOARD - TRAINING FOR GEARUP	184,525.00	45,726.60
711	UH-READING FIRST	4,405,868.99	2,631,586.30
711	TWC- LABOR MARKET & CAREER	500,000.00	68,399.56
711	CIS DALLAS - MENTORING SERVICES	93,022.40	80,000.00
711	UT - K-4 ONLINE TEACHING READING ACADEMIES	1,022,000.00	669,354.00
711	COLLEGE BOARD - AP EXAMS	9,638,752.00	1,656,930.00
711	IB EXAMS	277,607.00	244,968.00
711	UH - SCHOOL READINESS PROGRAM	15,000,000.00	4,803,253.38
711	VALIDATE RETELL TMSFA & SUPPORT TALA	401,349.00	174,688.40
711	HCDE - ADULT EDUCATION	4,264,854.00	384,820.46
711	HECB - INTENSIVE SUMMER PROGRAM	9,518,000.00	6,309,000.00
711	TAMUCC-GEARUP	2,072,004.00	516,493.54
711	TCER- EVALUATE GEARUP	200,000.00	61,809.00
711	TWC-LMCI TOLLFREE HOTLINE	500,000.00	138,609.64
711	UT AUSTIN - TAP	166,000.00	14,117.10
711	PD UTILIZE DISTANCE LEARN - PT	100,000.00	42,063.52
711	BEST PRAC ONLINE CLEARINGHOUSE	729,869.00	144,000.00
711	ONLINE MATH FOR GRADES 5-8	2,404,220.00	1,127,161.60
711	UT SYSTEM - EVALUATION OF SITES PROJECT	500,000.00	190,506.96
711	UH - READING FIRST	3,050,000.00	1,105,665.77
711	EPSILEN - LICENSE AGMT FOR SCHOOL DISTRICTS	4,000,000.00	1,000,000.00
711	UTHSCH-TPRI & TEJAS LEE	6,535,643.60	1,963,258.94
711	UT SYSTEM - ONLINE TEACHER READING ACADEMIES	500,000.00	92,389.17

Division Contracts Over 50k - FY10			
Division Number	Description	Contract Amount	Total Expenditures
711	PREK OUTREACH	347,000.00	49,222.50
711	UT SYSTEM - TECHNICAL ASSISTANCE FOR DATE	1,850,000.00	185,481.56
711	TAMU- PROGRAM REVIEW PANEL	64,712.00	33,043.37
711	COLLEGE PREPARATION ASSESSMENT	11,875,000.00	1,940,085.00
711	ONLINE MATH FOR GRADES K-4	3,000,000.00	1,161,937.50
711	ONLINE COLLGE PREP	1,416,330.00	708,165.00
711	AMS- POWER OF TEXAS PROJECT	761,979.00	164,423.38
711	HT INSTITUTES FOR TX TEACHERS	1,437,125.00	467,019.32
711	ONLINE COLLEGE READINESS	2,250,000.00	62,803.69
711	ONLINE MODULES FOR MATH & SCIENCE MASTER TEACHERS	1,461,568.21	431,568.00
711	MANAGED MIGRANT SERVICES	721,214.74	532,738.98
711	NGS MANAGED SERVICES	746,166.58	97,444.76
711	MATH & SCIENCE DIAGNOSTIC SERVICES	8,313,128.00	4,090,437.00
711	NGS HELP DESK/ MSIX - 312	534,735.00	309,744.00
711	NGS HELP DESK/ MSIX - 312	722,243.00	104,256.00

L. What statutory changes could be made to assist this program in performing its functions? Explain.

None.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

While fewer state dollars have been appropriated, it is anticipated that the number of different initiatives and separate grant programs will not significantly diminish. The number of initiatives/programs will be the same or similar but with fewer dollars to award in each initiative/program. Each represents the same amount of work on the part of the grant managers to collaborate with program divisions, develop funding memos and funding source abstracts, prepare information for entry into BudPrep, and develop RFAs and SASs. Workload will decrease only in that there will not be as many individual applications requiring final compliance review.

The reauthorization of the federal Elementary and Secondary Education Act (ESEA) could add, delete, or require TEA to apply competitively for certain funds currently awarded by a formula and then to award those competitively rather than via formula to LEAs. Alternately, the reauthorization may still provide formula grants to the state but then require TEA to award funds competitively rather than via formula.

For example, the federal education blueprint indicates that state education agencies will need to apply competitively for certain programs such as 21st Century Community Learning Centers and Math and Science Partnerships. Previously these projects were appropriations based on specific formulas to states. Subgrants would, in turn, need to be awarded competitively.

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

Not Applicable

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

A. Guide to Agency Programs / Divisions	
Division Number:	712
Division Name:	Formula Grants Administration
Division Director:	Yolanda Cantu
Expenditures, FY10:	2,065,302
Number of FTEs (8/31/10):	24.35

B. What is the objective of this division? Please describe the major activities performed.

The Division of Formula Grants Administration facilitates the award of formula funding as authorized by state and federal law to local educational agencies (LEAs) and other grantees in support of programs and initiatives to improve student learning and the high school graduation rate. For 2010-2011 the division administered approximately 70 federal and state grants totaling more than \$7 billion, and awarded funding to more than 1,200 grantees. The division is responsible for providing funds to eligible recipients through a granting process where entitlements and allocations are determined by formulas that are based upon appropriations bill riders or authorizing statutes. The division works in partnership with program and technical staff from various TEA divisions, as appropriate, throughout the granting process to oversee the timely obligation of funds and to administer and manage all fiscal and legal aspects of TEA's federal and state formula funds, such as:

- Collaborating with the program divisions to identify and approve funded projects, develop formulas and guidelines, and develop appropriate subsequent documentation
- Determining and implementing entitlements and allocations for funding
- Developing paper SAS applications, or participating in the development of electronic eGrant applications
- Announcing, receiving, processing, and negotiating applications for funding
- Providing technical assistance to grantees and grant applicants, including processing and negotiating amendments
- Maintaining delivery and communication systems between TEA and grantees -- whether paper or electronic format -- such as SAS forms and eGrants; and electronic accounting and reporting systems, including the Integrated Statewide Administrative System (ISAS), TEA Grant Interface (TGIF), and Expenditure Reporting (ER)
- Subrecipient monitoring
- Processing expenditure requests and refunds from grantees
- Processing payments for grantees
- Maintaining appropriate records and open access to performance data
- Performing grant closeout procedures as appropriate

The division collaborates with the program divisions in the implementation of grant programs.

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

Grants Administration has a performance measure established by the Legislative Budget Board:

Percentage of Applications Awarded within 60 Days of Stamp-In

Actual Performance, 9/1/2010–6/30/2011	Electronic Grants (eGrants)	Paper Grants	Total Grants
	76.25	17.93	70.71

Please note: Effective with the 2012-2013 biennium, the performance measure will change to “Percent of Formula Grant Applications Processed within 90 Days.”

Performance Measure Targets through 2013

2008	2009	2010	2011	2012	2013
76%	80%	80%	82%	75%	76%

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

The division was created in September 2003 as part of a comprehensive reorganization process through which the agency eliminated duplicate functions across divisions and departments, increased efficiency by centralizing key operations, and ensured uniform formula grant administration processes across agency programs. Formula funding activities that resided within at least 10 agency divisions were consolidated within the Formula Grants Administration division.

Since its creation, the services and functions of Formula Grants Administration have remained fairly consistent. One notable enhancement to division functions occurred in May 2011, when the division began performing subrecipient monitoring functions.

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

Formula Grants Administration provides multiple funding sources to about 1,200 local educational agencies, 20 education service centers, and other eligible recipients as authorized by statute and rule.

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

1. Formula grant projects are identified based on federal and state legislation and appropriations.
2. If federally funded, both the Division of Formula Grants Administration and the relevant agency program division (i.e., Division of NCLB Program Coordination) receive a copy of the federal Notice of Grant Award (NOGA). If state-funded, agency management interprets statute and appropriations rider(s) in consultation with program division and funding division staff.
3. A funding source abstract is created and disseminated for the purpose of establishing federal funds in the agency budget. State funds are established in the agency budget based on legislation.
4. If the enabling legislation provides flexibility for discretionary spending, Formula Grants Administration staff collaborate with the program division(s) and the Division of Discretionary Grants to develop a funding memo to facilitate agency management approval of proposed projects.

5. Application processes are determined/developed for the identification of eligible recipients of formula grant funds.
6. Applications are made available to eligible applicants based on entitlement criteria, and eligible applicants are notified of available funding.
7. Applications are received from eligible grantees, reviewed, and negotiated for program and fiscal compliance by the respective program division and Formula Grants Administration.
8. Funds are provided to eligible recipients by the most effective method, (i.e., Notice of Grant Award [NOGA]).
9. Expenditure requests and refunds are processed as appropriate.
10. Each month, 10 grantees from two major formula grant programs are monitored by the division to ensure that funds have been expended appropriately.
11. Grants are closed after final reporting requirements are completed.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

712 Formula Grants Administration

Federal Funds	1,477,803
General Revenue	587,499

712 Formula Grants Administration Total **2,065,302**

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

The divisions of Discretionary Grants and Formula Grants Administration provide the following common services:

- Collaborating with program divisions to ensure appropriate distribution of funds as required by law, rule, or agency management
- Processing payments, conducting subrecipient monitoring, and performing close-out of grant applications
- Developing and publishing paper and electronic grant applications
- Announcing, receiving, processing, and fiscal negotiation of applications for funding
- Providing technical assistance to grantees and grant applicants, including processing and negotiating grant applications and amendments
- Maintaining delivery and communication systems between TEA and grantees

The two divisions differ in the methodology and processes used to award funding to eligible recipients.

Formula Grants Administration awards funds through a noncompetitive process based on formulas and eligible applicants as prescribed in statute and/or rule. If an eligible recipient meets the criteria for funding, the amount of its allocation is determined based on a mathematical formula that is specified in statute or rule, and the applicant submits an application for funding. If the application meets all requirements, the eligible applicant receives the funding.

Discretionary Grants awards funds through a competitive or discretionary noncompetitive process. Eligible applicants are determined based on statute. Competitive grant applications are scored through a systematic review process. Noncompetitive grants are awarded based on statute and agency priorities.

Grant applications are negotiated for program and fiscal compliance.

DG and Formula Grants Administration are a part of OPGE. There are no other areas inside TEA or outside of TEA that provide a centralized grant administration system for all state and federal, formula and discretionary grants administered by TEA.

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency’s customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The divisions of Discretionary Grants and Formula Grants Administration are within OPGE. Both the OPGE divisions use standard application forms for grant applicants, the agency’s customers. Formula and Discretionary Grants grantees use the same systems to request payments, and OPGE provides consistent policies for Discretionary Grants and Formula Grants Administration.

Weekly meetings are held with department and division managers to address issues pending for both formula and discretionary grants, allowing for continued communication between and among the divisions to ensure programs are appropriately placed, to assist each other in problem solving, and to avoid any potential duplication of effort.

DG and Formula Grants Administration coordinate the planning and development of the agency’s grant funds with various program divisions. The grant managers in both divisions work as liaisons to ensure the quality and consistency of program-specific documents related to the grant application and the supporting documents, such as the general and fiscal guidelines, program guidelines, instructions for completing the grant application forms, and the grant application forms.

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

Formula Grants Administration receives federal funds from the US Department of Education and other federal agencies, and awards federal and state funds to local educational agencies, regional education service centers, and other eligible applicants.

K. Contracted expenditures made through this Division.

Division Contracts Over 50k - FY10			
Division Number	Description	Contract Amount	Total Expenditures
712	RECORDING FOR THE BLIND AND DYSLEXIC	3,000,000.00	43,676.11
712	SUNNY ESCORT SERVICES	75,000.00	12,931.78
712	ECI INITIAL EVAL FOR INFANT	10,262,250.00	5,131,125.00
712	UT AUSTIN/UIIL STERIOD TESTING	2,000,000.00	1,000,000.00
712	NGS HELP DESK/ MSIX - 312	534,735.00	74,997.00

L. What statutory changes could be made to assist this program in performing its functions? Explain.

None.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

Not Applicable

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

A. Guide to Agency Programs / Divisions	
Division Number:	906
Division Name:	Educator Certification, Standards, and Fingerprinting
Division Director:	Dr. Janice Lopez
Expenditures, FY10:	20,910,185
Number of FTEs (8/31/10):	10.00

B. What is the objective of this division? Please describe the major activities performed.

The division’s primary focus is to enforce Texas Education Code (TEC) Title 2, Subtitle D Educators and School District Employees and Volunteers, Chapter 21, §21.044 and Texas Administrative Code Title 19, Part 7, Chapters 227, 228, 229, 230, 231, 232, 233, 239, 241, 242, 244, 245, 247, 249, 250 pertaining to the preparation and certification of new and present educators, and fingerprinting to serve the schools in the state of Texas.

The Division consists of 3 units: Educator Certification, Educator Standards, and Fingerprinting.

Educator Certification: The Educator Certification unit administers the law as it relates to the appropriate issuance of teacher and professional certifications. The unit assists districts in the appropriate placement of educators in public school classrooms. Educator Certification is responsible for the development and implementation of certification rules, including procedures for the issuance of certificates, renewal of certificates and permits. The certification staff provides services for educators, school districts, educator preparation programs, the general public, and other interested groups. Activities are as follows:

- Provide consultative services for future educators, current educators, administrators and interested out-of-state and out-of-country individuals relocating to Texas.
- Process and issue the appropriate educator certificates to qualified individuals in Texas and to applicants who hold appropriate degrees and credentials from another state or country.
- Review and evaluate credentials and certification examinations from other states and foreign countries to determine applicant eligibility for the appropriate Texas certificate.
- Interpret and implement Texas Administrative Code (TAC) and Texas Education Code (TEC).
- Advise school district administrators and/or certification staff on critical certification and classroom assignment issues.
- Inform school district administrators and/or certification staff regarding standards for certification, certification testing programs, fingerprinting processes, and changes in Board rules, policies and procedures.
- Provide technical support to all users of the SBEC Online system.
- Respond to telephone, Chat, and e-mail inquiries on a wide range of topics related to the services and functions of the unit of Educator Certification.
- Process and issue certificates to educational aides.
- Process and issue the renewal of standard educator certificates.
- Process and authorize emergency permits, temporary classroom assignment permits, nonrenewable permits, and school district teaching permits for public school districts, including approval of permits requested on a hardship basis.

- Review and evaluate application documents for the appropriate temporary teacher certificate.
- Conduct presentations, workshops, and training sessions regarding SBEC rules, policies and procedures, and the SBEC Online system.
- Process educator fee refunds, transfers and requests as applicable.
- Adviser for district certification corrections and responds to educator requests for teacher service/salary information.
- Determine the creditable years of service and the placement on the minimum salary schedule for classroom teachers, full-time librarians, full-time counselors, and full-time nurses until step 20 is reached under TEC, 21.403 and TAC, 153.1021.
- Responsible for the oversight and timely handling of school districts and charter schools professional staff service records under TEC, 21.4031 and TAC, 153.1021.
- Prepare and manage the Commissioner’s Rules on Creditable Years of Service under TAC, 153.1021 and Minimum Salary Schedule for Certain Professional Staff under TAC, 153.1022.
- Administers the minimum salary schedule calculation and state mandated pay raises for classroom teachers, full-time librarians, full-time counselors, and full-time nurses under TEC, 21.401, 21.402 and TAC 153.1022.
- Research and verify the accreditation status of schools, colleges and universities (State, National, and International) for salary increment purposes under TAC, 153.1021.
- Advise and clarify state mandated requirements to school districts regarding minimum personal leave program under TEC, 22.003; leave of absence for temporary disability under TEC, 21.409; duty free lunch under TEC, 21.405; planning and preparation time and conference period under TEC, 21.404.
- Inform and guide school districts on matters regarding teacher employment contract, termination, suspension, renewal, resignation, and career ladder supplement under TEC, Chapter 21.
- Assist, identify and determine creditable years of military experience, leave and reemployment of ex-military personnel with school districts under TAC 153.1021, Government Code, Subchapter G, Section 431.005, and Chapter 613, Subchapter A, Section 613.001.
- Administer the teacher Retire Rehire Program and teacher Shortage areas under TEC, 21.602; and Government Code, Subchapter G, Section 824.602.
- Conduct bill analysis and prepare fiscal notes and other information concerning teacher salary schedule and teacher pay raises.
- Prepare and conduct training and staff development at workshops and conferences across the state for school district officials, charter schools, regional service centers and teacher organizations.

Educator Standards: The unit reviews all applications to become an educator preparation program and ensures alignment to Texas Administrative Code (TAC). After review by educator standards, the new program is submitted to the State Board for Educator Certification for final approval. The division conducts compliance audit visits according to TAC and Texas Education Code (TEC). Currently, 81 university/post baccalaureate and 104 alternative certification programs are monitored as it pertains to operation, certification field offerings, curriculum, admission criteria and accountability as it pertains to Texas Administrative Code and the Texas Accountability System for Educator Preparation Programs.

- The unit manages the implementation of the certification testing contract and all processes for test development, comparability studies and test administration.

- The unit ensures that candidates for educator certification or educators that renew their certification demonstrate the knowledge and skills necessary to improve academic performance of all students in the state.
- The unit is also responsible for maintaining testing and certification information on every potential and certified educator in Texas (TEC § 21.003). Law requires a continuing approval visit of each program every five years (Texas Education Code (TEC) § 21.004). The division is responsible for educator preparation program monitoring and technical assistance. Each Program Specialist is assigned approximately 40 programs to monitor and act as the programs' primary contact. Texas Administrative Code Chapter 229 requires accountability standards for educator preparation programs. This chapter requires adherence to data requirements in Texas Education Code; the unit is responsible for the analyses and all reports submitted to the SBEC.
- Completes certification, fingerprinting, and testing Public Information Requests (PIR)
- Complies and submits Title II Federal Reports Legislative Budget Board (LBB) Annual Report for state public university is reported and submitted annually.
- Accountability System for Educator Preparation (ASEP) Programs is submitted annually.
- Approval of all applications for certification fields and classes of certifications.
- Implements Continuing Professional Education provider approval process which requires review of all vendor applications (by at least 2 staff members). This is the list that educators use to renew their certificate every 5 years.

Fingerprinting: The unit conducts and maintains records on candidates and educators to protect the safety of children in the public schools as required by Senate Bill 9, 80th Texas Legislature, 2007, and 19 TAC Chapter 249. The investigations division researches allegations against educators of inappropriate conduct and recommends sanctions of educators found guilty as required in TEC § 21.058. The unit's primary function is to facilitate the process by which educators and non-educators submit their fingerprints and other required information to SBEC/TEA in order to comply with statutory criminal history requirements. The unit works closely with individuals, school districts, DPS, FBI and other interested parties. The unit's involvement ends when fingerprints have been accepted by both the DPS and FBI. The fingerprinting unit consists of four employees. With the implementation of Senate Bill 9, 80th Texas Legislature, 2007, and 19 TAC Chapter 249, they are the district liaisons with TEA and assist the districts with their questions and technical problems. The customer service representative answers our phones, with assistance from the program specialists as needed.

They are the first line of contact for those educators and others who are directly affected by the fingerprinting program. They deal with the day-to-day questions via phone and email as people interact with TEA and DPS and their vendor.

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

The division tracks service provided so that data trends can be evaluated and managed to maximize effectiveness.

Measure	FY 2008	FY 2009	FY 2010
Chat**	N/A	5,778	5,778
Web Referrals	N/A	76	24
Production: Service Requested Performed by SBEC Online	N/A	121,656	116,992

Number of Individuals Issued Initial Teacher Certificates	30,294	29,878	29,060
Number of Previously Degreed Individuals Issued Initial Teacher Certificate Through Post-Bac Programs	2365	1985	1800
Chat**	N/A	5,778	5,778
Number of Customer Service Inquires	(75,400 calls and 48,000 emails) Total 123,400	(94,549 calls and 52,066 emails) Total 146,615	(94,688 calls and 52,285 emails and 5778 chats) Total 152,751
Web Referrals	N/A	76	24
Number of Individuals Issued Initial Teacher Certificate Through University Based programs	10,356	10,593	10,343
Number of Previously Degreed Individuals Issued Initial Certification Through Alternative Certification Programs	13,749	13,586	13,241
Number of Certification Renewals	65,517	73,052	67,693
Average Days for Certification Issuance	21	34	32
Average Days for Certification Renewal	2	9	9
New Educator Preparation Program Approvals	0	30	8
Educator Preparation Program Continuing Approval Visits	23	42	67
Percent of Individuals passing Examinations and Eligible for Certification	98%	98%	98%
Fingerprinting Records Processed	89,672	228,441	235,303

Electronic records are kept of new program approvals, continuing approval visits for educator preparation programs (EPPs), and number of educators initially certified, and number of fingerprinting records processed.

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

A separate board and agency, the State Board for Educator Certification (SBEC), which were given responsibility for all matters related to educator certification, and to provide educators with a strong role in governing their profession as created by 1995 legislation. SBEC oversees educator preparation programs to ensure that educators are well trained; certifies that individuals have demonstrated the knowledge and skills to enter the classroom; and enforces professional standards of conduct of educators. Prior to 1995, TEA was responsible for those matters. The agency carried out the administrative functions and services of the board until September 1, 2005, when it was abolished pursuant to Sunset Act review. The SBEC board was not abolished, but the SBEC's Sunset Act provision, TEC §21.035, was amended. Since 2005, the SBEC has continued to perform its rulemaking, policymaking, and adjudicatory functions, but all administrative functions and services related to

educator certification have been performed by TEA.

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

The division has a direct impact upon future educators, the quality of educator preparation programs, current educators, school districts, individual school campuses, and students and parents.

2007-2008 Texas Stakeholders	
Elementary and Secondary students	4,651,516
School districts	1,031 plus 198 charter operators
Total certified school staff	461,344
Approximate annual new educator certificates	28,000
Approximate educator preparation programs	165

2008-2009 Texas Stakeholders	
Elementary and Secondary students	4,728,204
School districts	1,030 plus 205 charter operators
Total certified school staff	469,596
Approximate annual new educator certificates	23,779
Approximate educator preparation programs	170

2009-2010 Texas Stakeholders	
Elementary and Secondary students	4,824,778
School districts	1030 plus 207 charter operators
Total certified school staff	481,680
Approximate annual new educator certificates	20,077
Approximate educator preparation programs	175

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

The State Board for Educator Certification oversees all aspects of educator preparation, certification and standards of conduct of public school educators. This board works under the auspices of the Texas Education Agency State Board of Education. Dr. Ann Smisko, Associate Commissioner for School Improvement and Educator Initiatives, heads the division. Dr. Janice Lopez serves as Director for Educator Certification, Standards, and Fingerprinting.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

906 Educator Standards & Certification

General Revenue

20,910,185

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

The Texas Higher Education Coordinating Board (THECB) was created by the Texas Legislature in 1965 to "provide leadership and coordination for the Texas higher education system to achieve excellence for the college education of Texas students." THECB supervises the degree offerings and plans by a public college or university to candidates preparing to become teachers. Prior to addition of new certification areas, the Texas Higher Education Coordinating Board must approve the public institution of higher education to offer the courses toward that certification/degree. Even though the THECB addresses some aspects of educator preparation, they do not participate in the development of educator standards, development of certification areas, curriculum development and program implementation, certification testing and the monitoring of statewide educator preparation programs.

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

A member of the Texas Higher Education Coordinating Board's (THECB) staff is appointed by the Commissioner of Higher Education to serve on the State Board for Educator Certification in an advisory capacity. Meetings are held to coordinate the efforts of THECB and the Texas Education Agency. THECB is provided with newsletters and invited to attend all presentations so that both agencies understand the systemic view of educator preparation and certification.

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

This division works with a number of local, regional and federal units of government.

All independent and consolidated school districts, and all charter and private schools in Texas-- customer service concerning educator preparation and certification. The agency actively determines with stakeholders the assignment of teachers in classroom and which certification will cover course requirements

The Texas Higher Education Coordinating Board —regulation of degree programs at all state universities and the approval of certification programs and certification areas and classes
Education Service Centers that offer alternative certification for educator—regulatory functions
The Department of Public Safety —mandated fingerprinting and background checks on educators and educator candidates

Federal Bureau of Investigating—background checks for educators and educator candidates
Title II—The division must meet the requirements of the Higher Education Act (HEA) required by the federal government.

National Board for Professional Teaching Standards—advanced credentials and stipends
United States State Department Office of Overseas Schools (TAC) 228.25 (4) (D). The division allows for educators to be placed in schools that are officiated with the organization.

The National Association of State Directors of Teacher Education and Certification (NASDTEC) are dedicated to licensing well-prepared, safe and wholesome educators for our nation's schools. Our division works and collaborates with the NASDTEC to reach a mission of representing state departments of education in all 50 states, the District of Columbia, the Department of Defense

Educational Activity, the U.S. Territories, and the Canadian provinces of Alberta, British Columbia, and Ontario. The collaboration assists states in preparation, licensure and discipline of educational personnel.

The division collaborates with the National Comprehensive Center for Teacher Quality (NCQ) in Washington DC. The division has a MOU with the Center to help implement educator preparation accountability as it pertains to Texas Administrative Code Chapter 229.

K. Contracted expenditures made through this Division.

Division Contracts Over 50k - FY10			
Division Number	Description	Contract Amount	Total Expenditures
906	TEXAS EDUCATOR ASSESSMENTS	85,096,345.87	20,431,082.90

L. What statutory changes could be made to assist this program in performing its functions? Explain.

None.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

To improve the continuum of highly effective teachers, the agency has implemented a new Accountability System for Educator Preparation Programs (ASEP) that incorporates four standards upon which all educator preparation programs will be evaluated for accreditation)and compliance. Once those evaluations are conducted, a series of accreditation statuses will be assigned thereby making the quality of each educator preparation program transparent to the public, to future teachers and to district human resources departments across the state. The agency will also provide technical assistance to educator preparation programs as necessary to address gaps in their teacher preparation.

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

The Texas legislature has required state certification through the completion of college-level coursework and the completion of a state-approved teacher-education program since 1955.

- TAC §228.1 requires the evaluation of all educator preparation programs by the state.
- TAC §231 (e) mandates the certification of all educators.

The scope of, and procedures for, inspections or audits of regulated entities;

TAC §228 requires:

- Each educator preparation program be reviewed every five years (currently about 175 such programs) [two TEA program specialists conduct an on-site audit. Director reviews and approves final report].
- TEA staff review any proposals for new educator preparation programs and make recommendations to the State Board for Educator Certification (SBEC) [two program specialists review all proposals with approval by director].
- TEA staff approves all requests from programs to offer additional certification fields or classes [two program specialists review all applications with approval by director].

Follow-up activities conducted when non-compliance is identified;

- Written report to director and educator preparation program director or dean
- Compliance Status Report documenting that the program has corrected errors in compliance
- Action Plans showing how the program will correct low certification test performance for specific genders or ethnic groups.

Sanctions available to the agency to ensure compliance;

- TAC §229 –public reprimand, revocation of program approval, or the imposition of conditions upon continuing program approval.

Procedures for handling consumer/public complaints against regulated entities;

- TEA has an official complaint form on its website. Anyone (district or candidate) who has a complaint against an educator preparation program is encouraged to file a formal complaint.
- The complaint is sent to the Division of Education Certification, Standards and Fingerprinting where it is investigated and a response to the complainant is drafted within ten working days.

Texas Education Code (TEC) §21.031 establishes the State Board for Educator Certification (SBEC) to “regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators.” In proposing the rules authorized and required by TEC Chapter 21, Subchapter B, the SBEC must “ensure that all candidates for certification or renewal of certification demonstrate the knowledge and skills necessary to improve the performance of the diverse student population of this state.”

Educator certification is also necessary because TEC §21.003 provides that an educator may not be employed by a Texas public school district unless the person holds an appropriate certificate or permit issued by SBEC. TEC §21.035 requires that TEA “shall provide the board's [SBEC’s] administrative functions and services.” These services and functions, which are performed by the Division on behalf of TEA and SBEC, are required and authorized by Chapter 21 and Chapter 22, Subchapter C. These Education Code requirements include providing such services and functions as: ensuring that SBEC administrative rules and policies are lawfully adopted and enforceable; administering certification standards and school personnel assignment requirements; certifying all categories and classes of educators; approving, holding accountable, and regulating educator preparation programs; recruiting, developing, and setting appraisal standards for educators.

Regulatory Authority for District Personnel Services - Educator Certification

Texas Education Code, §21.402, Minimum Salary Schedule for Certain Professional Staff

(a) Except as provided by Subsection (d), (e), or (f), a school district must pay each classroom teacher, full-time librarian, full-time counselor certified under Subchapter B, or full-time school nurse not less than the minimum monthly salary, based on the employee's level of experience in addition to other factors, as determined by commissioner rule, determined by the following formula:

$$MS = SF \times FS$$

Texas Education Code, §21.403, Subsection (c) Placement on Minimum Salary Schedule

(c) The commissioner shall adopt rules for determining the experience for which a teacher, librarian, counselor, or nurse is to be given credit in placing the teacher, librarian, counselor, or nurse on the minimum salary schedule. A district shall credit the teacher, librarian, counselor, or nurse for each year of experience without regard to whether the years are consecutive.

Texas Education Code, §21.4031, Professional Staff Service Record:

(1) "Salary schedule" means the minimum salary schedule under Section 21.402 or a comparable salary schedule used by a school district that specifies salary amounts based on an employee's level of

experience.

(2) "Service record" means a school district document that indicates the total years of service provided to the district by a classroom teacher, librarian, counselor, or nurse.

(b) On request by a classroom teacher, librarian, counselor, or nurse or by the school district employing one of those individuals, a school district that previously employed the individual shall provide a copy of the individual's service record to the school district employing the individual. The district must provide the copy not later than the 30th day after the later of:

(1) the date the request is made; or

(2) the date of the last day of the individual's service to the district.

(c) If a school district fails to provide an individual's service record as required by Subsection (b), the agency shall, to the extent that information is available to the agency, provide the employing school district with information sufficient to enable the district to determine proper placement of the individual on the district's salary schedule.

Texas Education Code, §21.404, Planning and Preparation Time

Each classroom teacher is entitled to at least 450 minutes within each two-week period for instructional preparation, including parent-teacher conferences, evaluating students' work, and planning. A planning and preparation period under this section may not be less than 45 minutes within the instructional day. During a planning and preparation period, a classroom teacher may not be required to participate in any other activity.

Texas Education Code, §21.405, Duty Free Lunch

(a) Except as provided by Subsection (c), each classroom teacher or full-time librarian is entitled to at least a 30-minute lunch period free from all duties and responsibilities connected with the instruction and supervision of students. Each school district may set flexible or rotating schedules for each classroom teacher or full-time librarian in the district for the implementation of the duty-free lunch period.

(b) The implementation of this section may not result in a lengthened school day.

(c) If necessary because of a personnel shortage, extreme economic conditions, or an unavoidable or unforeseen circumstance, a school district may require a classroom teacher or librarian entitled to a duty-free lunch to supervise students during lunch. A classroom teacher or librarian may not be required to supervise students under this subsection more than one day in any school week. The commissioner by rule shall prescribe guidelines for determining what constitutes a personnel shortage, extreme economic conditions, or an unavoidable or unforeseen circumstance for purposes of this subsection.

Texas Education Code, §22.003, MINIMUM PERSONAL LEAVE PROGRAM

(a) A state minimum personal leave program consisting of five days per year personal leave with no limit on accumulation and transferable among districts shall be provided for school district employees. School districts may provide additional personal leave beyond this minimum. The board of trustees of a school district may adopt a policy governing an employee's use of personal leave granted under this subsection, except that the policy may not restrict:

- the purposes for which the leave may be used; or
- the order in which an employee may use the state minimum personal leave and any additional personal leave provided by the school district.

O. For each regulatory program, if applicable, please provide complaint information.

906 - Educator Standards and Certification – Alternative Certification Programs Information on Complaints Against Regulated Persons or Entities Fiscal Years 2009 and 2010		
	FY 2009	FY 2010
Total number of complaints received from the public against an Alternative Certification Program provider	2	5
Number of complaints pending from prior to 2009	0	0
Number of complaints resolved/closed	2	5

A. Guide to Agency Programs / Divisions	
Division Number:	908
Division Name:	Investigations
Division Director:	Doug Phillips
Expenditures, FY10:	8,681,879
Number of FTEs (8/31/10):	21.75

B. What is the objective of this division? Please describe the major activities performed.

The Division of Investigations seeks to ensure the safety of public school children by investigating criminal history information and complaints of misconduct by applicants for and holders of Texas teaching credentials as well as the adjudication of the criminal histories of all newly hired non-certified public school employees.

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

LBB Performance Measure 2.3.3.4 EF - Average Time for Investigating Complaints

The average number of days required to resolve an investigation that was resolved during the reporting period. Fiscal year 2010 target was 110 and the actual number of days was 91.45.

LBB Performance Measure 2.3.36 EF - Average Cost per Complaint Resolved in Investigations

The average cost associated with resolving a jurisdictional complaint handled by investigations that was resolved during the reporting period. Target cost for Fiscal year 2010 was \$1700 and actual cost was \$897.09.

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

A separate board and agency, the State Board for Educator Certification (SBEC), which were given responsibility for all matters related to educator certification, was created by 1995 legislation. Prior to 1995, TEA was responsible for those matters. The agency carried out the administrative functions and services of the board until September 1, 2005, when it was abolished pursuant to Sunset Act review. The SBEC board was not abolished, but the SBEC's Sunset Act provision, TEC §21.035, was amended to provide:

- **ADMINISTRATION BY AGENCY.** The Texas Education Agency shall provide the board's administrative functions and services.

Thus, since 2005, the SBEC board has continued to perform its rulemaking, policymaking, and adjudicatory functions, but all administrative functions and services related to educator certification have been performed by TEA.

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

- Employees of Texas Public Schools and Open-enrollment Charter Schools through enforcement of statute and administrative code regarding disciplinary violations effecting certification and employment.
- Persons who hold a certificate or permit issued as provided by Subchapter B, Chapter 21, Education Code.
- Newly hired Non-Certified employees (22.0833 Education Code)
- Non-Certified Charter school employees serving in a certified role (22.0832 Education Code)
- Applicants for educator certification (21.031 Education Code)
- Substitute Teachers (22.0836)

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

Please see agency organizational chart.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

908 Investigations

General Revenue	8,681,879
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908 Investigations Total	8,681,879
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H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

None.

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Not Applicable

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

- Texas Department of Public Safety
- Office of the Attorney General
- Various law enforcement agencies around the state
- Various county and district clerks and courts
- Other public education agencies around the country

K. Contracted expenditures made through this Division.

Division Contracts Over 50k - FY10			
Division Number	Description	Contract Amount	Total Expenditures
908	FINGERPRINTING	7,568,638.90	51,717.50
908	FINGERPRINTING	240,759.00	47,402.00
908	FINGERPRINTING	5,876,521.00	1,295,821.30
908	FINGERPRINTING	10,011,461.20	6,164,989.60

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Investigative Subpoena Power. Even though we are charged with investigating complaints against educators we are often stymied by school districts that refuse to provide us with the documentation used to support the initial report. Districts treat the Agency in the same manner as they would a private citizen (Public Information Request) and ask for an opinion from the OAG claiming that the agency is not eligible to receive investigative materials held by the district. Districts do this under the guise of FERPA and saying that any investigation documents are considered part of the educator's performance evaluation. We have had to close investigations due to our inability to obtain records necessary to confirm the investigation. A subpoena would compel the district to provide us with the needed information while giving the district the legal cover to do so.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

Texas Education Code (TEC) §21.031 establishes the State Board for Educator Certification (SBEC) to "regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators." In proposing the rules authorized and required by TEC Chapter 21, Subchapter B, the SBEC must "ensure that all candidates for certification or renewal of certification demonstrate the knowledge and skills necessary to improve the performance of the diverse student population of this state."

Educator certification is also necessary because TEC §21.003 provides that an educator may not be employed by a Texas public school district unless the person holds an appropriate certificate or permit issued by SBEC. TEC §21.035 requires that TEA "shall provide the board's [SBEC's] administrative functions and services." These services and functions, which are performed by the Division on behalf of TEA and SBEC, are required and authorized by Chapter 21 and Chapter 22, Subchapter C. These Education Code requirements include providing such services and functions as: ensuring that SBEC administrative rules and policies are lawfully adopted and enforceable; administering certification standards and school personnel assignment requirements; certifying all categories and classes of educators; approving, holding accountable, and regulating educator preparation programs; recruiting, developing, and setting appraisal standards for educators; reviewing criminal histories of educators and

school employees; and conducting disciplinary investigations and proceedings based on allegations of educator abuse and misconduct.

O. For each regulatory program, if applicable, please provide complaint information.

908 – Investigations and Fingerprinting Information on Complaints Against Regulated Persons or Entities Fiscal Years 2009 and 2010		
	FY 2009	FY 2010
Total number of complaints opened against regulated persons/educators	1,887	1,608
Complaints received but not opened	947	962
Total	2,834	2,570
Number of complaints pending from prior to 2009	15	
Number of complaints resolved/closed	1,665	1,541
Complaints resulting in disciplinary action:		
administrative penalty	N/A	N/A
reprimand	55	95
probation	0	0
suspension	64	60
revocation	33	37
surrender in lieu of revocation	88	92
administrative closure	246	384
referred to Legal	204	208
non-jurisdiction	23	24
certificate denied	28	15
voluntary withdrawal of application for certification	5	1
cleared-issue certificate	77	56
administrative closure (Non-Cert)	758	504
EE found non employable (Non-Cert)	4	7
ISD offer withdrawal (Non-Cert)	80	58

A. Guide to Agency Programs / Divisions	
Division Number:	920
Division Name:	School District Leadership and Educator Quality
Deputy Commissioner:	Ray Glynn
Expenditures, FY10:	434,242
Number of FTEs (8/31/10):	3.00

B. What is the objective of this division? Please describe the major activities performed.

The Deputy Commissioner for School District Leadership and Educator Quality is responsible for the quality of educators and the monitoring of school district performance exercising executive responsibility over all professional educators in the state through the Educator Certification, Fingerprinting and Investigations, Educator Standards and Professional Discipline Units. The Deputy may speak or present on behalf of the Commissioner before the legislature, professional associations, or at Conferences that the Commissioner of Education is unable to attend. The office also provides support to the State Board for Educator Certification (SBEC) and the State Board of Education (SBOE). The office is ultimately responsible for Program Monitoring and Interventions of school districts and charters, Accreditation Ratings of School Districts, School Financial Audits, Charter Schools, Governance and the Regional Education Service Centers through on-site and auditing and other review activities.

C. What evidence can you provide that shows the effectiveness and efficiency of this division? Please provide a summary of any key statistics or performance measures available.

See individual sections for Divisions that report to this office:

- 120 Accreditation
- 190 Governance & General Inquiries
- 300 School Improvement & Educator Initiatives
- 301 Special Programs
- 310 Program Monitoring and Interventions
- 311 IDEA Coordination
- 312 NCLB Program Coordination
- 313 School Engagement and Improvement
- 351 Charter Schools
- 360 Regional Services
- 450 Financial Audits
- 906 Educator Standards & Certification
- 908 Investigations and Fingerprinting

D. Please describe any important history regarding this program (do not include general TEA history), including how the services or functions may have changed from the original intent.

Not Applicable

E. Describe who or what this division affects. List any qualifications or eligibility requirements for persons or entities affected. If applicable, please provide a statistical breakdown of persons or entities affected.

Not Applicable

F. Describe how your division is administered. Include flowcharts (an org chart will already be provided), timelines, or other illustrations as necessary to describe agency policies and procedures (that are specific to this division). List any field or regional services.

Provides leadership and oversight for Divisions listed in Question C. Reports directly to the Commissioner of Education.

G. Identify all funding sources and amounts for the division, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

920 School District Leadership & Educator Quality	
Federal Funds	181,079
General Revenue	253,163
920 School District Leadership & Educator Quality Total	434,242

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

Not Applicable

I. Discuss how the division is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Not Applicable

J. If the division works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

Not Applicable

K. Contracted expenditures made through this Division.

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

See individual sections provided by reporting divisions and Section IX: Policy Issues.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity.

Not Applicable

O. For each regulatory program, if applicable, please provide complaint information.

Not Applicable

VIII. Statutory Authority and Recent Legislation

A. Fill in the following chart, listing citations for all state and federal statutes that grant authority to or otherwise significantly impact your agency. Do not include general state statutes that apply to all agencies, such as the Public Information Act, the Open Meetings Act, or the Administrative Procedure Act. Provide information on Attorney General opinions from FY 2007 – 2011, or earlier significant Attorney General opinions, that affect your agency’s operations.

Texas Education Agency Exhibit 13: Statutes/Attorney General Opinions	
Statutes	
Citation/Title	Authority/Impact on Agency
Texas Education Code, Title 1, General Provisions, Chapter 1, General Provisions	Establishes applicability of code to all state-supported educational institutions, except those specifically excluded; requires equal educational services including special education; requires schools to fly the Texas and United States flags; allows for display of national motto; provides for education research centers
Texas Education Code, Title 2, Public Education, Subtitle A, General Provisions, Chapter 4, Public Education Mission, Objectives, and Goals	Establishes mission and academic goals for public education.
Chapter 5, Definitions	Defines terms for purposes of Title 2 of the Code.
Subtitle B, State and Regional Organization and Governance, Chapter 7, State Organization, Subchapter A, General Provisions	Creates the agency; establishes that all authority not expressly delegated to agency is reserved to school districts and open-enrollment charter schools. Provides for public access to PEIMS data, a best practices clearinghouse, and an electronic student records system.
Chapter 7, Subchapter B, Texas Education Agency	Delineates agency powers and duties, including administering and monitoring compliance with state and federal educational programs; provides limits on agency compliance monitoring of districts.
Chapter 7, Subchapter C, Commissioner of Education	Delineates commissioner of education's qualifications, term, powers and duties, including adopting an annual budget for the Foundation School Program, issuing waivers, conducting administrative hearings, and reviewing school district audit reports.
Chapter 7, Subchapter D, State Board of Education	Delineates the composition, duties, and powers of the State Board of Education, including developing the long-range plan for public education, granting open-enrollment charters, establishing performance standards on statewide assessment instruments.
Chapter 8, Regional Education Service Centers, Subchapter A, General Provisions	Allows the commissioner to establish up to 20 service centers; delineates duties of the service centers, governance; provides that conflict of interest and nepotism provisions govern executive director and board members; provides for sunset review of centers.
Chapter 8, Subchapter B, Powers and Duties	Delineates core services to improve student/district performance, prohibits service centers from performing regulatory functions; limits compensation for some services.
Chapter 8, Subchapter C, Evaluation and Accountability	Sets forth performance standards for service centers and sanctions for deficient performance.
Chapter 8, Subchapter D, Funding	Delineates sources of funding for service centers.
Subtitle C, Local Organization and Governance, Chapter 11, School Districts,	Requires school district accreditation by agency; establishes district responsibility to implement state system of public education.

Texas Education Agency
Exhibit 13: Statutes/Attorney General Opinions

Statutes	
Citation/Title	Authority/Impact on Agency
Subchapter A, General Provisions	
Chapter 11, Subchapter B, Independent School Districts	Specifies the organization of an independent school district.
Chapter 11, Subchapter C, Board of Trustees of Independent School District—General Provisions	Establishes composition of boards of trustees, single member districts, elections, terms, vacancies, and qualifications.
Chapter 11, Subchapter D, Powers and Duties of Board of Trustees of Independent School District	Establishes board's exclusive right to govern and oversee the management of the school district; establishes authority to take specific actions on behalf of the district.
Chapter 11, Subchapter E, Superintendents and Principals	Designates superintendent as educational leader and chief executive officer of district, sets forth authority; designates principal as the instructional leader of campus, sets forth authority.
Chapter 11, Subchapter F, District-Level and Site-Based Decision-Making	Establishes process for decision-making at district and campus levels; sets authorities at each level; requires district and campus analysis and consideration of dropout records in developing improvement plans.
Chapter 11, Subchapter G, Law Applicable to Certain School Districts and County Systems	Establishes continuation of county systems, common school districts, municipal school districts., rehabilitation district, county industrial training school districts, and county vocational school districts that existed on May 1, 1995.
Chapter 11, Subchapter H, Special-Purpose School Districts	Allows the State Board of Education to establish special-purpose districts to educate students whose needs are not met by regular school districts, including appointment of a board of trustees; generally applies to military reservation districts.
Chapter 12, Charters, Subchapter A, General Provisions	Establishes classes of charters and purpose of charter program.
Chapter 12, Subchapter B, Home-Rule School District Charter	Permits local school district boards to create home-rule school district charters; exempts these charter schools from all laws and rules not specifically applicable; requires charter election; provides for State Board of Education sanctions.
Chapter 12, Subchapter C, Campus or Campus Program Charter	Permits local school district boards to grant campus or program charters to parents, teachers, and contractors; exempts these charters from certain local policies so long as student performance is acceptable; specifies applicable state laws; provides for sanctions.
Chapter 12, Subchapter D, Open-Enrollment Charter School	Permits the State Board of Education to grant charters to higher education institutions, non-profit organizations, or governmental entities; grants charters the same authority as school districts; specifies applicable laws; establishes application requirements; provides for sanctions; provides for evaluation.
Chapter 12, Subchapter E, College or University Charter School	Permits the State Board of Education to grant a charter to a college or university; establishes applicability of laws.
Chapter 13, Creation, Consolidation, and Abolition of a District, Subchapter A, General Provisions	Provides general provisions for various processes for modifying district boundaries.
Chapter 13, Subchapter B, Detachment; Annexation	Provides for detachment of territory from one school district and annexation to another contiguous district; establishes process; provides for annexation of dormant school districts and academically unacceptable districts.

Texas Education Agency
Exhibit 13: Statutes/Attorney General Opinions

Statutes

Citation/Title	Authority/Impact on Agency
Chapter 13, Subchapter C, Creation of District by Detachment	Provides for creating a new district by detaching territory from an existing district; establishes requirements for new district.
Chapter 13, Subchapter D, Consolidation	Permits school districts to consolidate into one district; provides process for consolidation and dissolution, including use of a local consolidation agreement.
Chapter 13, Subchapter E, Abolition of Independent School District	Provides process for the abolition of an independent school district or a consolidated school district.
Chapter 13, Subchapter F, Other Boundary Changes	Allows for minor school district boundary changes by agreement.
Chapter 13, Subchapter G, Incentive Aid Payments	Provides incentive aid for consolidating school districts.
Chapter 18, Job Corps Diploma Programs	Authorizes Job Corps diploma programs. Provides for governance and accountability of the programs.
Chapter 19, Schools in the Texas Department of Criminal Justice	Creates the Windham School District to operate schools in Texas Department of Criminal Justice facilities; provides for district governance and funding; provides for employment of teachers.
Subtitle D, Educators and School District Employees and Volunteers, Chapter 21, Educators, Subchapter A, General Provisions	Requires employment of certain employees by probationary, continuing or term contract; requires certification; establishes teacher recruitment program
Chapter 21, Subchapter B, Certification of Educators	Creates State Board for Educator Certification; requires school districts to notify parents of inappropriately certified or non-certified teachers in the classroom.
Chapter 21, Subchapter C, Probationary Contracts	Provides for probationary contract employment; provides for termination at the end of the one-year term, discharge during the year, resignation, or return to probationary status by agreement.
Chapter 21, Subchapter D, Continuing Contracts	Provides for an employment contract that continues year to year without formal reappointment until the employee resigns, retires, is released through a reduction in force or is discharged; provides for appeal rights and resignation.
Chapter 21, Subchapter E, Term Contracts	Provides for employment by a contract for a fixed term; requires notice of renewal or nonrenewal of contract; establishes procedures for appeals; establishes procedure of superintendents.
Chapter 21, Subchapter F, Hearings Before Hearing Examiners	Creates the independent hearing examiners process for terminations and suspensions without pay; sets forth procedures for hearings and review of recommendations by the board of trustees.
Chapter 21, Subchapter G, Appeals to Commissioner of Education	Provides for appeals of contract hearings to the commissioner of education; establishes timelines and procedures.
Chapter 21, Subchapter H, Appraisals and Incentives	Requires the commissioner to adopt a recommended appraisal processes and criteria for teachers, principals, and other administrators; establishes the role of the district in the process; provides for performance incentives.
Chapter 21, Subchapter I, Duties and Benefits	Establishes minimum service and salaries for educators; provides for planning and preparation time, duty-free lunch, temporary disability leave, master teacher programs, and mentors
Chapter 21, Subchapter J, Staff Development	Provides for campus-based staff development requirements, developmental leaves of absence, and professional development institutes.
Chapter 21, Subchapter K, Texas Troops to Teachers Program	Creates program to assist former members of the armed forces to obtain educator certification; provides for stipend to be paid to new

Texas Education Agency
Exhibit 13: Statutes/Attorney General Opinions

Statutes	
Citation/Title	Authority/Impact on Agency
	educator.
Chapter 21, Subchapter L, Teach for Texas Pilot Program Relating to Alternative Certification	Provides for financial incentives to be paid to individuals who have previous job experience and wish to become an educator.
Chapter 21, Subchapter M, Careers to Classrooms Program	Creates program to create new educators in districts with teacher or educational aide shortages or with a concentration of students who are educationally disadvantaged.
Chapter 21, Subchapter O, Educator Excellence Award Program	Directs commissioner to establish a program awarding grants to school districts for local awards plans to recognize educators who effectively improve student achievement and other specified purposes.
Chapter 22, School District Employees and Volunteers, Subchapter A, Rights, Duties, and Benefits	Establishes minimum personal leave program; requires districts to participate in the state uniform group health coverage program or provide required insurance.
Chapter 22, Subchapter B, Civil Immunity	Establishes immunity from liability for professional employees and school district volunteers; provides for immunity for administering medication.
Chapter 22, Subchapter C, Criminal History Records	Permits State Board for Educator Certification and local and regional education authorities access to criminal justice agency criminal history records; provides for discharge of employees who fail to report criminal histories.
Chapter 22, Subchapter D, Health Care Supplementation	Allows a public school or education service center employee to designate a portion of the employee's compensation to be used as health care supplementation. Authorizes TEA to adopt rules.
Chapter 22, Subchapter Z, Miscellaneous Provisions	Prohibits district interviewers' pre-employment inquiries about religious affiliation. Provides for instruction for school employees related to CPR and use of AEDs.
Subtitle E, Students and Parents, Chapter 25, Admission, Transfer, and Attendance, Subchapter A, Admission and Enrollment	Establishes student eligibility for the benefits of the Available School Fund; establishes admission requirements and certain tuition requirements; requires transition assistance for certain students.
Chapter 25, Subchapter B, Assignments and Transfers	Governs intradistrict and interdistrict transfers and classroom placement of multiple birth siblings.
Chapter 25, Subchapter C, Operation of Schools and School Attendance	Establishes requirements related to the school day and school year; includes provisions related to compulsory attendance requirements and enforcement; addresses minimum attendance for class credit.
Chapter 25, Subchapter D, Student/Teacher Ratios; Class Size	Includes provisions relating to teacher/student ratio and class size limits.
Chapter 25, Subchapter E, Student Expression of Religious Viewpoints	Requires school districts to adopt a local policy regarding a limited public forum and voluntary student expression of religious viewpoints that complies with the subchapter. Provides a model policy.
Chapter 25, Subchapter Z, Miscellaneous Provisions Relating to Students	Establishes student's right to pray or meditate in a manner that does not disrupt school activities.
Chapter 26, Parental Rights and Responsibilities	Establishes parental rights, including access to information concerning the instruction of students; requiring consent for certain activities such as psychological testing; prohibiting district personnel from threatening or using a parent's refusal to consent to test or medicate as a basis for making a report of neglect; exemption from instruction that conflicts with parent's moral or

Texas Education Agency
Exhibit 13: Statutes/Attorney General Opinions

Statutes	
Citation/Title	Authority/Impact on Agency
	religious beliefs.
Subtitle F, Curriculum, Programs, and Services, Chapter 28, Courses of Study; Advancement, Subchapter A, Essential Knowledge and Skills; Curriculum	Specifies the required elements of curriculum and enrichment curriculum; provides for reading and math diagnosis; establishes the duties of the district's local health advisory council; establishes requirements for the district's health curriculum; requires instruction in personal financial literacy; establishes review panel for career and technology education curriculum; requires CPR and automated external defibrillator instruction; establishes virtual teams to align curriculum standards to college readiness standards; establishes College Credit Program.
Chapter 28, Subchapter B, Advancement, Placement, Credit, and Academic Achievement Record	Provides for promotion of a student to the next grade solely based upon academic achievement; requires satisfactory performance at the fifth and eighth grade levels in specified subject areas; allows for credit by examination and automatic college admission; requires personal graduation plan and remediation for students who do not successfully perform on assessment instruments.
Chapter 28, Subchapter C, Advanced Placement Incentives	Establishes program to recognize and reward entities for achieving the state's educational goals; establishes an advanced placement incentive program, awarding campuses who have produced high performers on advanced placement examinations.
Chapter 29, Educational Programs, Subchapter A, Special Education Program	Requires statewide special education plan; requires individualized education plans and exit transition plans for special education students; provides requirements for schools, residential facilities, hospital services; provides for right to due process appeals establishes a special education grant program for districts with high costs.
Chapter 29, Subchapter B, Bilingual Education and Special Language Programs	Requires agency to establish requirements for bilingual programs; establishes program content, enrollment eligibility; provides for preschool, summer school and extended time programs. District Language Proficiency Assessment Committee to assess proficiency; parent or student may appeal to the board of trustees; requires evaluation of students transferred out of the program; establishes PEIMS reporting requirements for bilingual education program.
Chapter 29, Subchapter C, Compensatory Education Programs	Requires districts to implement appropriate compensatory, intensive, and accelerated instruction and to establish life skills programs for student parents and basic skills programs for high school students, if desired; requires agency to collect student retention data; permits districts and open-enrollment charters to operate high school equivalency programs; extends optional extended year program to high school students; establishes an optional flexible school day program; establishes Student Club Grant to provide activities for students at risk of dropping out; establishes a Collaborative Dropout Reduction Pilot Program; establishes an Intensive Technology-based Academic Intervention Pilot Program to provide instruction to high school students at risk of dropping out; establishes an Intensive Summer Program for dropping out; establishes an Intensive Math and Algebra Intervention pilot program for students in grades 4-8.
Chapter 29, Subchapter D, Educational	Requires establishment of a gifted and talented state plan and local

Texas Education Agency
Exhibit 13: Statutes/Attorney General Opinions

Statutes

Citation/Title	Authority/Impact on Agency
Programs for Gifted and Talented Students	program.
Chapter 29, Subchapter E, Kindergarten and Prekindergarten Programs	Requires kindergarten programs; requires prekindergarten if there are sufficient eligible children in the district; establishes program requirements, evaluations, and grants; requires districts to investigate the use of Head Start or other funds in establishing a new prekindergarten program; establishes a program to increase community awareness of prekindergarten; requires State Center for Early Childhood Development and P-16 Council to establish a school readiness certification system for use in certifying the effectiveness of Pre-K programs.
Chapter 29, Subchapter F, Career and Technology Education Program	Requires state plan for career and technology education; allows districts to establish programs; creates the Award for Distinguished Achievement in Career and Technology Education Program and the Recognition of Successful Career and Technology Education Program; establishes a subsidy program for students who passes the certification examination to qualify for a license or certificate.
Chapter 29, Subchapter G, Public Education Grant Program	Establishes a grant program for students to attend school in another district if the home district campus did not meet performance standards and if the receiving district has sufficient facilities.
Chapter 29, Subchapter H, Adult and Community Education Programs	Requires the agency to develop a state plan for adult and community education; provides funding; requires Texas Workforce Commission and TEA to collaborate to improve coordination and implementation of adult education services in the state.
Chapter 29, Subchapter I, Programs for Students Who Are Deaf or Hard of Hearing	Requires programs for deaf and hard of hearing students in their unique communication mode; provides for coordination of educational programs and transition into regular class; requires a memorandum of understanding between the agency and the Texas School for the Deaf.
Chapter 29, Subchapter L, School District Program for Residents of Forensic State Supported Living Center	Requires districts to provide educational services to eligible school age alleged offenders resident of the state supported living center; requires districts to employ behavior support specialists; requires districts and Forensic State Supported Living Center to establish a MOU; provides additional funding for each student served under this subchapter.
Chapter 29, Subchapter Z, Miscellaneous Programs	Provides for military instruction, driver education, hate crime law education, Celebrate Freedom Week, character education programs, "Generation Texas" week, CPR instruction, electronic courses; requires districts meeting criteria to establish a plan to increase college enrollment of its students; requires districts to allow homeschool students to participate in merit scholarship and advanced placement testing; establishes a grant program for higher education and workforce readiness programs.
Chapter 30, State and Regional Programs and Services, Subchapter A, General Provisions	Requires coordination of services to children with disabilities by regional education service center; requires establishment of a program for children with visual impairments; requires school districts to support their students enrolled in the Texas School for the Deaf and the Texas School for the Blind and Visually Impaired; requires memorandum of understanding with the Texas School for the Blind and Visually Impaired.
Chapter 30, Subchapter B, Texas School	Establishes the Texas School for the Blind and Visually Impaired

**Texas Education Agency
Exhibit 13: Statutes/Attorney General Opinions**

Statutes	
Citation/Title	Authority/Impact on Agency
for the Blind and Visually Impaired	as an alternative placement for children with these disabilities; establishes governance and funding.
Chapter 30, Subchapter C, Texas School for the Deaf	Establishes the Texas School for the Deaf as an alternative placement for children with these disabilities; establishes governance, funding, and admission policies.
Chapter 30, Subchapter D, Regional Day Schools for the Deaf	Requires a statewide plan for regional day schools for the deaf and a statewide director of services; provides for funding.
Chapter 30, Subchapter E, Texas Youth Commission Facilities	Provides the state available school fund apportionment to children committed to the Texas Youth Commission; requires TYC to implement a comprehensive plan to improve reading skills and behavior of its students.
Chapter 30A, State Virtual School Network, Subchapter A. General Provisions	Establishes the Virtual School Network and student eligibility
Chapter 30A, Subchapter B. Administrative Provisions	Establishes the governance structure of the network.
Chapter 30A. Subchapter C. Provision of Electronic Courses	Defines the eligibility of a provider district; establishes criteria and approval process for electronic courses; defines compulsory attendance procedures, teacher and instructor qualifications and professional development.
Chapter 30A. Subchapter D. Funding	Establishes the funding and fee structure of the program.
Chapter 31, Instructional Materials, Subchapter A, General Provisions	Provides free instructional materials to students; requires State Board of Education to adopt instructional materials rules.
Chapter 31, Subchapter B, State Funding, Adoption, and Purchase	Establishes the program for state funding, adoption, and purchase of instructional materials; creates an instructional material allotment; establishes a commissioner's list of electronic materials, open-source instructional materials and supplemental instructional materials.
Chapter 31, Subchapter B-1, State-Developed Open-Source Instructional Materials	Establishes purchase authority, content requirements, cost, ownership and adoption schedule for open-source instructional materials.
Chapter 31, Subchapter C, Local Operations	Establishes process for selection and purchase of instructional materials by school districts.
Chapter 31, Subchapter D, Administrative Penalties and Penal Provisions	Establishes duties of instructional materials publishers and manufacturers and penalties for violations.
Chapter 32, Computers and Computer-Related Equipment, Subchapter A, Powers and Duties of State Board of Education Relating to Electronic Instructional Technology and Computer-Related Equipment	Requires the State Board of Education to develop a long-range plan for educational technology; grants commissioner authority to enter into contracts with developers and grants the State Board of Education authority to charge fees; does not require a school district to use technology.
Chapter 32, Subchapter B, Statewide Development of Technology and Telecommunications	Allows the agency to establish an electronic information system and maintain and expand the public education telecommunications system; creates the Center for Educational Technology, demonstration programs and preview centers in each regional educational service center.
Chapter 32, Subchapter C, Transfer of Data Processing Equipment to Students	Allows school districts/charter schools to transfer computers to students and allows them to accept donations of equipment and expend public funds for refurbishment.

Texas Education Agency
Exhibit 13: Statutes/Attorney General Opinions

Statutes	
Citation/Title	Authority/Impact on Agency
Chapter 32, Subchapter D, Technology Demonstration Sites Project	Establishes technology demonstration project administration, funding, selection and evaluation.
Chapter 32, Subchapter E. Technology Lending Program Grants	Establishes the administration and funding of a grant program for districts to lend technology equipment to students.
Chapter 32, Subchapter F, Education Internet Portal	Creates a student assessment data portal for use by districts, teachers, parents, students and public institutions of higher education.
Chapter 33, Service Programs and Extracurricular Activities, Subchapter A, School Counselors and Counseling Programs	For districts that receive compensatory education allotment funds, requires employing a certified counselor; provides for parental comment and involvement by persons having lawful control over a student; sets forth counseling program requirements, including higher education information.
Chapter 33, Subchapter B, Libraries	Requires Texas State Library and Archives Commission, in consultation with the State Board of Education, to establish school library standards.
Chapter 33, Subchapter C, Missing Child Prevention and Identification Programs	Allows school districts to participate in child identification programs; requires maintaining a current year photograph of all students.
Chapter 33, Subchapter D, Extracurricular Activities	Contains no pass/no play rule; absence policies; scheduling guidelines for extracurricular activities; governance by the University Interscholastic League; prevention of illegal steroid use and random testing.
Chapter 33, Subchapter E, Communities in Schools Program	Transfers all aspects of Communities in Schools Program to agency; requires coordination of at risk and dropout prevention programs.
Chapter 33, Subchapter F. Safety Regulations for Certain Extracurricular Activities	Establishes extracurricular activity safety training; establishes certain safety precautions requirements.
Chapter 33, Subchapter Z, Miscellaneous Provisions	Requires open-enrollment charter schools to participate in the federal school breakfast program if criteria are met; allows a district after-school child care program; establishes a pilot community education child care program.
Chapter 34, Transportation	Provides for school bus operations and district transportation requirements.
Subtitle G, Safe Schools, Chapter 37, Discipline; Law and Order, Subchapter A, Alternative Settings for Behavior Management	Requires student code of conduct and specifies requirements for disciplinary matters including expulsions, suspensions, and disciplinary alternative education programs and court involvement; provides for completion of coursework in certain circumstances; establishes instructional requirements for alternative education services in juvenile residential facilities; provides for assessment of academic growth of students in DAEPs.
Chapter 37, Subchapter B, School-Community Guidance Centers	Allows districts to establish school-community guidance centers; requires parental notification and involvement.
Chapter 37, Subchapter C, Law and Order	Allows for the employment of school peace officers and security officers; allows districts to share records for research and analytical purposes with specified agencies; requires a discipline management program; requires implementation of dating violence policies.
Chapter 37, Subchapter D, Protection of Buildings and Grounds	Allows districts to regulate the use of its property including parking; provides that unauthorized trespass on school property is a misdemeanor; requires districts to adopt and implement an

Texas Education Agency
Exhibit 13: Statutes/Attorney General Opinions

Statutes	
Citation/Title	Authority/Impact on Agency
	emergency operations plan, create school safety and security committee.
Chapter 37, Subchapter E, Penal Provisions	Prohibits secret societies and gangs, possessing intoxicants on school grounds, disruptive activities involving classes and transportation; makes certain activities crimes.
Chapter 37, Subchapter F, Hazing	Establishes hazing as a crime; provides for punishment.
Chapter 37, Subchapter G, Texas School Safety Center	Creates Texas School Safety Center to conduct safety programs for school districts; requires center to periodically provide a school safety and security progress report; develop a program that provides community education in internet safety.
Chapter 37, Subchapter I, Placement of Registered Sex Offenders	Addresses the placement of students who are registered sex offenders.
Chapter 38, Health and Safety, Subchapter A, General Provisions	Requires immunizations, dissemination of information and screening for disorders, parental access; prohibits various activities.
Chapter 38, Subchapter B, School-Based Health Centers	Permits districts to establish school-based health centers; specifies services; requires parental consent.
Chapter 38, Subchapter C. Physical Fitness Assessment	Establishes a physical fitness assessment program, assessment instrument and reporting requirements
Chapter 38, Subchapter D. Prevention, Treatment, and Oversight of Concussions Affecting Student Athletes	Establishes the prevention, treatment and oversight of concussions affecting student athletes.
Subtitle H, Public School System Accountability, Chapter 39, Public School System Accountability, Subchapter B, Assessment of Academic Skills	Requires the State Board of Education to adopt essential knowledge and skills for all students and create an assessment program; provides for the adoption of instruments, levels of satisfactory performance, end-of-course tests and testing exemptions; creates a technology literacy assessment pilot program; creates college readiness performance standards.
Chapter 39, Subchapter C, Accreditation Status	Establishes accreditation standards and investigation requirements.
Chapter 39, Subchapter D. Financial Accountability	Establishes a financial accountability system for school districts; requires reporting.
Chapter 39, Subchapter E, Accreditation Intervention and Sanctions	Provides for interventions and sanctions for unsatisfactory accountability ratings.
Chapter 39, Subchapter F. Procedures for Challenge of Accountability Determination, Intervention, or Sanction	Establishes a process for a district to challenge an accountability decision.
Chapter 39. Subchapter F. Distinction Designations	Creates distinction designations for college readiness, academic improvement, high performance, closing achievement gaps, fine arts, physical education, 21st workforce development and second language acquisition programs.
Chapter 39. Subchapter H, Additional Rewards	Provides for excellence exemptions for exemplary campuses and districts; establishes use of high school allotment
Chapter 39. Subchapter I. Successful School Awards	Creates a successful school award program.
Chapter 39. Subchapter J. Parent and Educator Reports	Requires the agency to provide districts with reports on student growth and for districts to provide that information to parents; districts are required to provide teachers with student performance data; requires agency to produce a campus report card; requires districts to publish annual performance report.

Texas Education Agency
Exhibit 13: Statutes/Attorney General Opinions

Statutes	
Citation/Title	Authority/Impact on Agency
Chapter 39, Subchapter K, Reports by Texas Education Agency	Requires comprehensive annual report, regional and district level reports, a technology report.
Chapter 39, Subchapter L. Notice of Performance	Establishes student grade reporting requirements; establishes requirements for district information to be posted on district website
Chapter 39. Subchapter M. High School Completion and Success Initiative	Establishes the High School Completion and Success Initiative Council, its composition and functions; creates standard eligibility for certain grant programs.
Subtitle I, School Finance and Fiscal Management, Chapter 41, Equalized Wealth Level, Subchapter A, General Provisions	Establishes the maximum wealth per student and methods for districts that exceed the maximum to divest themselves of excess wealth; describes annual review of property wealth; allows districts use additional state aid for tax reduction to meet requirements to divest of excess wealth; allows for homestead exemption; disallows tax abatements.
Chapter 41, Subchapter B, Consolidation By Agreement	Allows districts to agree to consolidate to lower the wealth per student below the maximum.
Chapter 41, Subchapter C, Detachment and Annexation By Agreement	Allows districts to detach territory and to annex territory to lower the wealth per student below the maximum.
Chapter 41, Subchapter D, Purchase of Attendance Credit	Creates attendance credits to be purchased by a district to lower the wealth per student below the maximum; makes provisions for disaster remediation.
Chapter 41, Subchapter E, Education of Nonresident Students	Allows districts to execute a contract with another district to pay for the education of students in another district to lower the wealth per student below the maximum.
Chapter 41, Subchapter F, Tax Base Consolidation	Allows districts to create a consolidated tax base for maintenance and operations of the districts to lower the wealth per student below the maximum.
Chapter 41, Subchapter G, Detachment and Annexation by Commissioner	Sets forth the procedure for the commissioner to detach property of a school district that did not reduce its wealth per student below the maximum.
Chapter 41, Subchapter H, Consolidation by Commissioner	Sets forth the procedure for the commissioner to consolidate a district that did not reduce its wealth per student below the maximum.
Chapter 42, Foundation School Program, Subchapter A, General Provisions	Sets forth the purposes of the Foundation School Program (FSP), to guarantee adequate resources to provide students with a basic instructional program; defines average daily attendance; establishes the information reporting system, PEIMS; delineates the funding elements.
Chapter 42, Subchapter B, Basic Entitlement	Establishes the basic allotment for each student and adjustments for cost of education, small and mid-sized districts, sparsity adjustments and adjustments for districts not offering all grades.
Chapter 42, Subchapter C, Special Allotments	Establishes special allotments for special education, compensatory education, bilingual, career and technology, transportation, gifted and talented, public education grants, new instructional facilities, and high school students.
Chapter 42, Subchapter E, Financing the Program	Delineates the Tier One financing of the Foundation School Program, including state and local funds; provides for additional state aid for staff salary increases and ad valorem tax credits, as well as additional state aid for tax reduction. Makes provisions for disaster remediation. Establishes schedule for the distribution of

Texas Education Agency
Exhibit 13: Statutes/Attorney General Opinions

Statutes	
Citation/Title	Authority/Impact on Agency
	FSP funds.
Chapter 42, Subchapter F, Guaranteed Yield Program	Establishes the Guaranteed Yield Program to provide districts with the opportunity to provide the basic education program and to supplement the program at a level of its own choice, based upon its tax effort.
Chapter 42, Subchapter G, School Facilities Inventory and Standards	Provides for the State Board of Education to establish standards for adequacy of facilities.
Chapter 42, Subchapter H, School Facilities Assistance Program	Establishes the amount of facilities assistance for districts.
Chapter 43, Permanent School Fund and Available School Fund	Delineates between the Permanent School Fund and the Available School Fund; specifies management and activities relating to the Permanent School Fund; establishes ethics requirements.
Chapter 44, Fiscal Management, Subchapter A, School District Fiscal Management	Specifies budget and fiscal reporting requirements for districts.
Chapter 44, Subchapter B, Purchases; Contracts	Establishes purchasing requirements for school districts.
Chapter 44, Subchapter C, Penal Provisions	Specifies penalties for interference with the operation of the Foundation School Program and failure to transfer funds and students.
Chapter 44, Subchapter Z, Miscellaneous Provisions	Allows districts to contract for energy or water conservation measures.
Chapter 45, School District Funds, Subchapter A, Tax Bonds and Maintenance Taxes	Allows school district boards to issue bonds and impose maintenance taxes.
Chapter 45, Subchapter B, Revenue Bonds	Allows a school district board to secure and maintain recreational facilities using revenue bonds.
Chapter 45, Subchapter C, Guaranteed Bonds	Secures bonds issued under Subchapter A of this chapter by the corpus and income of the Permanent School Fund.
Chapter 45, Subchapter D, Sale of Surplus Real Property; Revenue Bonds	Allows a school district board to buy and sell real property.
Chapter 45, Subchapter E, Miscellaneous Provisions	Allows districts to use construction bond proceeds for installing utilities; to invest bond proceeds; to pledge its delinquent taxes as security for a loan; and to enter into other specified transactions.
Chapter 45, Subchapter F, Athletic Stadium Authorities	Allows a school district board to create an athletic stadium authority; allows the board of directors the authority to undertake activities to build a facility.
Chapter 45, Subchapter G, School District Depositories	Sets forth requirements for entering into a bank depository contract.
Chapter 45, Subchapter H, Assessment and Collection of Taxes	Allows a district to employ a tax assessor and collector.
Chapter 45, Subchapter I, Intercept Program to Provide Credit Enhancements for Bonds	Establishes the state intercept program for school district bonds, makes provisions for application, limitations, eligibility and use of FSP for credit enhancements
Chapter 45, Subchapter J, Open Enrollment Charter School Facilities Credit-Enhancement Program	Establishes the limitations on participation, minimum requirements for debt service reserves and the use of the FSP for charter school credit enhancement.
Chapter 46, Assistance With Instructional Facilities and Payment of Existing Debt	Guarantees an amount per student in state and local funds for each cent of tax effort to pay the principal and interest on instructional

Texas Education Agency
Exhibit 13: Statutes/Attorney General Opinions

Statutes

Citation/Title	Authority/Impact on Agency
Subchapter A, Instructional Facilities Allotment	facility bonds; allows for lease-purchase agreements; provides for the commissioner to establish standards for adequacy of school facilities and requires school districts to consider security criteria developed by the Texas School Safety Center when designing new instructional facilities or major renovations.
Chapter 46, Subchapter B, Assistance With Payment of Existing Debt	Guarantees an amount per student in state and local funds for each cent of tax effort to pay the principal and interest on eligible bonds. Establishes eligibility criteria for bonds, which is based on the date of the first bond payment.
Chapter 46, Subchapter C, Refinancing	Allows the commissioner to provide for the payment of state assistance on refinancing bonds that refund bonds eligible for state assistance.
Title 5, Other Education, Chapter 1001, Driver and Traffic Safety Education, Subchapter A, General Provisions	Defines terms and provides for exemptions from regulation.
Chapter 162. Interstate Compact on Educational Opportunity for Military Children	Creates a compact with other states to remove barriers to the educational success of military children; provides for the organization and operation of the Interstate Commission.
Chapter 1001, Subchapter B, Powers and Duties	Provides for agency's authority over driver training schools; provides for issuance of certificates of completion by students.
Chapter 1001, Subchapter C, Curriculum	Requires agency to establish required curriculum.
Chapter 1001, Subchapter D, Fees	Establishes fees for licenses and renewal fees for schools, course providers, and instructors and for compliant investigations.
Chapter 1001, Subchapter E, Licensing of Schools and Course Providers	Establishes requirements for licensure, including bonds; establishes requirements for transferring ownership of school; establishes criminal history review of instructors.
Chapter 1001, Subchapter F, Licensing of Instructors	Requires licensure of instructors.
Chapter 1001, Subchapter G, License Expiration and Renewal	Establishes terms for license validity.
Chapter 1001, Subchapter H, Practice by License Holders	Establishes requirements for business practices.
Chapter 1001, Subchapter I, Refund Policies	Establishes cancellation and refund policies to be followed by schools.
Chapter 1001, Subchapter J, Prohibited Practices and Disciplinary Actions	Provides for disciplinary actions for engaging in prohibited practices.
Chapter 1001, Subchapter K, Class Action Suits	Permits a person injured by the violation of this chapter to bring a class action suit against the school.
Chapter 1001, Subchapter L, Penalties and Enforcement Provisions	Permits injunctions, administrative penalties, and general criminal penalties to be assessed against a school.
Federal laws	
The Carl D. Perkins Career and Technical Education Improvement Act of 2006 (P.L. 109-270)	Relating to career and technical education activities offering a sequence of courses directly related to preparing individuals in current or emerging professions requiring other than a baccalaureate or advanced degree.
No Child Left Behind Act of 2001, P.L. 107-110, reauthorization of the Elementary and Secondary Education Act of 1965	Defines federal role in K-12 education to close the achievement gap between diverse student populations based upon four premises: stronger accountability for results, greater flexibility and local control, expanded options for parents, and emphasizing proven

Texas Education Agency
Exhibit 13: Statutes/Attorney General Opinions

Statutes	
Citation/Title	Authority/Impact on Agency
	teaching methods.
The Individuals with Disabilities Education Improvement Act of 2004, P.L. 108-446	Establishes federal entitlement for the delivery of special education instruction and related services for all eligible students with disabilities, ages 3-21. The law entitles all eligible students to receive a free, appropriate public education (FAPE). The law and implementing regulations also establish requirements for state obligation/responsibility for implementation, allocation of federal special education funds, determination of eligibility, development of the individualized education program (IEP), and the establishment of procedures for parental involvement and procedural (protections) safeguards.
Adult Education and Family Literacy Act of the Workforce Investment Act, P.L. 105-220	Provides for adult education for those who function at less than the secondary school level.
Personal Responsibility and Work Opportunity Reconciliation Act of 1996, P.L. 104-93	Provides adult education services to individuals who are receiving Temporary Assistance for Needy Families.
National and Community Service Act of 1990, 42 USC 12521 et seq.	Provides for loan abatements and deferments for individuals who teach in low income areas or subject shortage areas.
Title VI of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972; Section 504 of the Rehabilitation Act of 1973; Americans with Disabilities Act.	Investigation activities are conducted by the USDE, Office of Civil Rights, Dallas Regional office, pursuant to a memorandum of understanding with TEA.
Securities and Exchange Act, Section 13(f)	Provides for reporting requirement for certain Permanent School Fund transactions.
Taxpayer Relief Act of 1997, Section 226(a)	Provides for school building rehabilitation programs, specifically Qualified Zone Academy Bonds (QZAB).
Family Educational Rights and Privacy Act (FERPA); Protection of Pupil Rights Amendment (PPRA)	Protects student privacy and ensures access to student's educational records and to certain instructional materials. Enforced by the Family Policy Compliance Office in the U.S. Department of Education.
McKinney-Vento Homeless Assistance Act	Addresses the problems of homeless students in enrolling and succeeding in school.
American Recovery and Reinvestment Act, P.L. 111-5 and 111-8	Created the State Fiscal Stabilization Program providing funds to help aver cuts in education spending in exchange for state commitment to education reforms relating to teacher quality, data systems, college and career readiness, and low-performing schools.
Education Jobs Fund, P.L. 111-226	Provides assistance to states for saving or creating education jobs.

Attorney General Opinions

Attorney General Opinion No.	Impact on Agency
No. GA-0456 (September 18, 2006)	The State Board of Education may adopt general textbook content standards to the extent the standards fall with the express powers granted by the Education Code and those implied powers necessary to effectuate its express powers. Whether particular ancillary material is a textbook is a question of fact.

purpose committee supporting, opposing, or assisting a trustee or trustee candidate not later than the 5th business day after the date the report is filed.

This bill applies only to a school district with a student enrollment of more than 15,000 that is located wholly or in part in a municipality with a population of more than 500,000, which includes the cities of Fort Worth, El Paso, Austin, San Antonio, Dallas, or Houston.

Change from current law: The Texas Ethics Commission is currently required to make some reports filed with the Commission under Chapter 254 accessible on its website, but there is not a requirement currently for any political subdivisions that receive reports under Chapter 254 to do so.

HB 359 **Author: Allen**

Statute Impacted: Adds Section 37.0011, amends Section 37.0021(b), Section 37.124, Education Code and Section 42.01, Penal Code.

Summary: This legislation defines corporal punishment and requires the parent or guardian to submit written consent to use corporal punishment on their child. If separate parents submit written approval for using corporal punishment and one revokes the use, the revocation controls. The school district shall maintain documentation of consent or revocation of consent at the main office of the school district.

The legislation also defines law enforcement duties for officers assigned to campuses. It requires that information relating to the use of restraint by a peace officer performing law enforcement duties on school property or during a school-sponsored or school-related activity be reported to the agency. This section also is amended to exclude students in sixth grade or lower from receiving a Class C misdemeanor for disruption of classes.

Section 42.01, Penal Code, is amended by adding Subsection (f) to read that this section does not apply to students who at the time the offense of disorderly conduct was committed, was in the sixth grade or lower.

Change from current law: Currently local school district school boards may establish policies that allow the use of corporal punishment as a disciplinary technique. There are no guide lines for setting these local policies other than the opinion from the Texas Attorney General's office (GA-0374) regarding the Texas Penal Code authorizing the use of 'any force short of deadly force' to compel student compliance. Under this opinion school districts may establish local policies regarding corporal punishment and implement them even over the written objection of the parent or guardian.

Current law does not exclude students in the sixth grade or lower grades from receiving a citation and being charged with a Class C misdemeanor.

HB 398/SB 1042 **Author: Jackson,Jim/Hegar**

Statute Impacted: Amends 22.0834(o), Education Code

Summary: This bill lowers the standard by which a contract employee is deemed employable by a district based on that employee's criminal history. This bill would return the standard to the 2007 level, which allows for employment to be denied based only on a conviction of a Title 5 felony where the victim was 18 years of age or younger and a student at the time of the crime or where the person was convicted of a crime and required to register as a sex offender.

Change from current law: Under the current law a conviction is not required nor does the age or status of victim factor into the employment decision since the same standard for certified educators is applied to the adjudication process.

HB 592 **Author: Pitts**

Statute Impacted: Amends Section 37.011, Education Code

Summary: Section 37.011 recognizes that a county with a population of 125, 000 or more is considered to be a county with a population of 125,000 or less if the county has a population of 180,000 or less; is adjacent to two counties, each of which has a population of more than 1.7 million; and has seven or more school districts located wholly within the county's boundaries.

Change from current law: Currently, counties with a population of 125,000 or greater must develop a juvenile justice alternative program with the approval of the Texas Juvenile Probation Commission. Now, if the county falls within one of the criteria, the county will not have to develop a juvenile justice alternative program.

HB 628 **Author: Callegari**

Statute Impacted: Amends Sections 11.168; 44.031(a), (b), and (f); Adds Sections 44.0351; 44.0352, 44.0411; 46.0111; 44.901(j); Repeals Sections 44.0315, 44.035, 44.036, 44.037, 44.038, 44.039, 44.040, and 44.041, Education Code. Adds Chapter 2267, Government Code.

Summary: The bill allows school districts to enter into an agreement for the design, construction, or renovation of improvements to property not owned or leased by the district if the improvement will benefit property owned by the district; like roads, streets, sidewalks, crosswalks, utilities, and drainage improvements.

The bill changes the nine methods to procure a contract valued over \$50,000 to seven methods. The design/build contract; a contract to construct, rehabilitate, alter or repair facilities that involves using a construction manager; and a job order contract for the minor construction, repair, rehabilitation, or alteration of a facility methods will be replaced with a single method that will refer the district to follow the rules in Chapter 2267 of the Government Code. What this basically does is remove the rules for procuring construction services from the Education Code and places them in the Government Code, Chapter 2267. Districts will have to continue following the procurement rules for contracts valued over \$50,000 for construction projects.

Also adds other criteria that may be used in selecting to whom to award a contract; adds that the vendors' principal place of business is in this state or employs at least 500 persons in this state as one of the criteria to consider when awarding a bid. It exempts contacts for goods and services related to telecommunications and information services or building construction and maintenance or instructional materials from these criteria.

The bill adds engineers and certified public accountants to the list of professional services under Section 44.031(f) that do not have to be competitively procured under TEC §44.031.

The bill adds TEC §44.0351 in which a district using the competitive bidding process; (a) except to the extent prohibited by other law and to the extent consistent with this subchapter, to use competitive bidding to select a vendor as authorized by Section 44.031(a)(1). (b) Provides that, except as provided by this subsection, Subchapter B, Chapter 271 (Purchasing and Contracting Authority of Municipalities, Counties, and Certain Other Local Governments), Local Government Code, does not apply to a competitive bidding process under this subchapter. Provides that Sections 271.026 (Opening of Bids), 271.027(a) (relating to awarding contracts to certain bidders) and 271.0275 (Safety Record of Bidder Considered), Local Government Code, apply to a competitive bidding process under this subchapter. (c) shall award a contract that offers the best value to the district and the district is not restricted to price alone but may consider other factors stated in the selection criteria.

The bill adds TEC §44.0352 in which a district may use the competitive sealed proposal for selecting a vendor. Using this method the district shall prepare a request for competitive sealed proposals that includes information that vendors may be required to respond to in the request. The proposal must include the selection criteria the district will use in selecting a vendor. The district shall receive, publicly open, and read aloud the names of the offerors and, if any are required to be stated, all prices stated in each proposal. The district is to evaluate and rank each proposal submitted not later than the 45th day after the date the proposals are opened.

The district is to select the offeror that offers the best value for the district based on the published selection criteria and on its ranking evaluation. The district is to first attempt to negotiate a contract with the selected offeror. The district can discuss with the selected offeror options for a scope or time modification and any price change associated with the modification. If the district is unable to negotiate a satisfactory contract with the selected offeror, it is to formally and in writing, end negotiations with that offeror and proceed to the next offeror in the order of the selection ranking until a contract is reached or all proposals are rejected. The offeror who provides the best value for the district will be selected, the district is not restricted to considering price alone, but may consider any other factors stated in the selection criteria.

The bill allows districts to do a change order if plans or specifications are necessary after the performance of a contract is begun or if it is necessary to decrease or increase the quantity of work to be performed or of materials, equipment, or supplies to be furnished. The total contract price may not be increased because of the changes unless additional money for increased costs is approved for the purpose from available money or is provided for by the authorization of the issuance of time warrants. Allows the district to grant general authority to an administrative official to approve the change orders. A contract with an original contract price of \$1 million or more may not be increased by more than 25 percent. If the contract is less than \$1 million is increased to \$1 million or more, subsequent change orders may not increase the revised contract amount by more than 25 percent.

The bill requires a school district that brings an action for recovery of damages for the defective design construction, renovation, or improvement of an instructional facility financed by bonds for which the district receives state assistance shall provide the commissioner with written notice of the action. The commissioner may join in the action on behalf of the state. The school district shall use the net proceeds from the action to repair the defective facility on which the action was brought or to replace the facility. The state share is state property and should be turned in to the comptroller any portion not used by the school district to repair the defective design, construction, renovation, or improvement of the instructional facility on which the action was brought.

The bill amends Subtitle F, Title 10, Government Code by adding Chapter 2267 to read Contracting and Delivery Procedures for Construction Projects. This chapter applies to a public work contract made by a governmental entity

or quasi-governmental entity authorized by state law to make a public work contract; a school district is included as a local government.

Under Subchapter B. General Powers and Duties, Section 2267.051 states a governmental entity may adopt rules as necessary to implement this chapter. Section 2267.052 requires the governmental entity to advertise or publish notice of requests for bids, proposals, or qualification in a manner prescribed by law. Section 2267.053 allows the governing body of a governmental entity to delegate its authority under this chapter to a designated representative, committee, or other person.

Sections 2267.055 authorizes the governmental entity, in determining the award of a contract under this chapter, to consider the price; the offeror's experience and reputation; the quality of the offeror's goods or services; the impact on the ability of the governmental entity to comply with rules relating to historically underutilized businesses (HUB); the offeror's safety record; the offeror's proposed personnel; whether the offeror's financial capability is appropriate to the size and scope of the project and any other relevant factor specifically listed in the request for bids, proposals, or qualifications.

Section 2267.056 requires the governing body of a governmental entity that considers a construction contract using a method authorized by this chapter other than competitive bidding, before advertising, to determine which method provides the best value for the governmental entity. (b) Requires the governmental entity to base its selection among offerors on applicable criteria listed for the particular method used. Requires the governmental entity to publish in the request for proposals or qualifications the criteria that will be used to evaluate the offerors, and the applicable weighted value for each criterion. (c) Requires the governmental entity to document the basis of its selection and to make the evaluations public not later than the seventh day after the date the contract is awarded.

Sec. 2267.059 requires a person who submits a bid, proposal, or qualification to a governmental entity to seal it before delivery.

Section 2267.101 through 2267.106 deals with the competitive bidding method by which a governmental entity contracts with a contractor for the construction, alteration, rehabilitation, or repair of a facility by awarding the contract to the lowest responsible bidder.

Section 2267.151 through 2267.155 deals with the competitive sealed proposals by which a governmental entity requests proposals, ranks the offerors, negotiates as prescribed, and then contracts with a general contractor for the construction, alteration, rehabilitation, or repair of a facility.

Section 2267.201 through 2267.208 deals with the construction manager-agent method by which a governmental entity contracts with a construction manager-agent to provide consultation or administrative services during the design and construction phase and to manage multiple contracts with various construction prime contractors. It does not allow the construction manager-agent to self-perform any aspect of the construction project and the construction manager-agent must be selected in a one-step or two-step process.

Section 2267.251 through 2267.258 deals with construction manager-at-risk method by which a governmental entity contracts with an architect or engineer for design and construction phase services and contracts separately with a construction manager-at-risk to serve as the general contractor and to provide consultation during the design and construction, rehabilitation, alteration, or repair of a facility.

Section 2267.301 through 2267.311 deals with design-build as a project delivery method by which a governmental entity contracts with a single entity to provide both design and construction services for the construction services for the construction, rehabilitation, alteration, or repair of a facility.

Section 2267.401 through 2267.411 deals with job order contracts as procurement method used for maintenance, repair, alteration, renovation, remediation, or minor construction of a facility when the work is of a recurring nature but the delivery times, type, and quantities of work required are indefinite.

The bill also adds a section to TEC 44.901 stating Chapter 2267 of the Government Code does not apply to energy savings performance contracts.

The bill will repeal the sections of the Education Code that dealt with the procurement of construction services. (Sections 44.0315, 44.035, 44.036, 44.037, 44.038, 44.039, 44.040, and 44.041)

Change from current law: Schools districts currently may not enter into an agreement authorizing the use of school district employees, property, or resources for work on property not owned by the district. Schools districts currently may not enter into an agreement authorizing the use of school district employees, property, or resources for work on property not owned by the district.

Currently school districts may use one of the 9 listed methods in TEC §44.031 to procure a contract valued over \$50,000. Three of the current methods are a design/build contract; a contract to construct, rehabilitate, alter, or repair facilities that involves using a construction manager; and a job order contract for the minor construction, repair, rehabilitation, or alteration of a facility. Also under this chapter are the regulations on the contracts for facilities, including Construction Manager-Agent; Construction Manager-At-Risk; Design-Build Contracts; selecting

a contractor for constructions services; job order contracts and the right to work

HB 673 **Author: Parker**

Statute Impacted: Adds Section 29.9021, Education Code and Section 12.012, Parks and Wildlife Code.

Summary: The bill requires the Texas Parks and Wildlife to produce a video suitable for use with high school students on recreational water safety, and to notify TEA in writing when the video is available. TEA is required to adopt rules to incorporate a curriculum module on recreational water safety into driver education instruction using the video produced.

Change from current law: Not applicable

HB 675 **Author: Lucio III**

Statute Impacted: Adds Section 33.094, Education Code

Summary: This Act prohibits a school district from using a football helmet that is 16 years old or older in the district's football program; requires a school district to ensure that each football helmet used in the district's football program that is at least 10 years old is reconditioned at least once every two years; requires a school district to maintain and make available documentation indicating the age of each football helmet used in the district's football program and the reconditioned dates; and authorizes the University Interscholastic League (UIL) to adopt rules, provided that the rules must be approved by the commissioner of education.

Change from current law: This bill amends current law relating to football helmet safety requirements in public schools. Currently, the UIL does not have any rules regarding the age of a helmet or how often it must be reconditioned.

HB 692 **Author: Farias**

Statute Impacted: Amends §28.025 (b-1) and adds Subsection (b-11), Education Code

Summary: This legislation allows a student who is unable to participate in physical activity due to disability or illness to substitute one credit in English language arts, mathematics, science, or social studies, to satisfy the one credit physical education (PE) requirement for graduation. The PE substitution credit allowed through an academic subject may not be used to satisfy a graduation requirement other than for the completion of the PE credit. The criteria for determining the ability of a student with physical limitations to participate in physical activity will be determined by a student's admission, review, and dismissal (ARD) committee; Section 504 Rehabilitation Act committee; or a special committee established by the school district with the appropriate knowledge of the student's ability to participate in physical activity.

Change from current law: Under current law all students must complete one credit in physical education to graduate under the minimum, recommended, or advanced high school program. Additionally, a campus or school district may not receive an exemption or waiver from any of the high school graduation requirements. Current statute also requires that schools ensure, when appropriate, each student with a disability is provided an opportunity to participate in PE classes in addition to regular or special education classes. This legislation will allow a student who is unable to participate in physical activity due to disability or illness to substitute one credit in English language arts, mathematics, science, or social studies, to satisfy the one credit physical education (PE) requirement for graduation.

HB. 734 **Author: Patrick, Diane**

Statute Impacted: Amends Sections 25.093(b) and 25.094(b), Education Code; Section 54.021(a), Family Code; and Sections 26.054(d) and 54.1171, Government Code.

Summary: The bill would lower the county population requirement for a constitutional county court to have jurisdiction of truancy cases and to appoint magistrates to hear those cases to a county of 1.75 million. The only additional county this brings in is Tarrant. Bexar County barely below the cut-off at 1.71 million.

Change from current law: The current minimum county population for a constitutional county court to have jurisdiction of truancy cases and to appoint magistrates to hear those cases is 2 million, which encompasses Harris and Dallas counties.

HB 742 **Author: Hunter**

Statute Impacted: Adds Section 25.0022, Education Code.

Summary: On enrollment, requires school district to request disclosure by the child's parent or other person with legal control of the child under a court order of whether the child being enrolled has a food allergy or a severe food allergy that, in that person's judgment, should be disclosed to the district to enable the district to take any necessary

precautions regarding the child's safety. The district is required to request that the parent of other person responding specify the food to which the child is allergic and the nature of the allergic reaction. The definition of a "severe food allergy" provides that it is a dangerous or life threatening reaction that requires immediate medical attention.

Information regarding a child's food allergy, regardless of how it is received by the school or school district, shall be placed in the child's student records but may not be placed in the child's health record maintained by the district unless the documentation is from a physician or is entered by a registered nurse with a notation that the child's student records indicate that a parent has notified the district of a possible food allergy.

The information may be disclosed to school personnel only to the extent consistent with district policy under Section 38.009 (Access to Medical Records) and the Family Educational Rights and Privacy Act (FERPA).

Change from current law: Not Applicable

HB 826 **Author: Farias**

Statute Impacted: Adds Section 33.904, Education Code.

Summary: The bill requires each school district to appoint at least one employee to serve as a liaison officer to facilitate enrollment or transfer of child in the district who is in the conservatorship of the state.

Change from current law: Not applicable.

HB 942 **Author: Dukes**

Statute Impacted: Adds Section 6.004, Civil Practices and Remedies Code.

Summary: The new section allows a school district to file suit without giving security for cost and to appeal from a judgment without giving supersedeas or cost bond.

Change from current law: The new section duplicates for school districts an existing provision in Section 6.002, Civil Practices and Remedies Code, applicable to municipalities.

HB 968 **Author: Strama**

Statute Impacted: Amends Sections 37.006, 37.007 and 37.0081(a), Education Code

Summary: This legislation adds that a student shall be removed from class for the felony offense of aggravated robbery under Section 29.03, Penal Code, defines serious and persistent misbehavior, and Section 37.0081(a) Sections 37.011(k) and (l), Education Code, are amended to include the felony offence of aggravated robbery.

Change from current law: Aggravated robbery was not listed in the section of Removal for Certain Conduct or in other sections of Chapter 37 pursuant to the removal for disciplinary actions. In past law, serious and persistent misbehavior was not defined and left to local policy to define and implement.

HB 1130 **Author: Huberty**

Statute Impacted: Repeals TEC §42.151(j), Education Code

Summary: Repeals the requirement that, "Each year, the agency shall make and disseminate to each school district a list of those districts that maintain for two successive years a ratio of full-time equivalent students placed in partially or totally self-contained classrooms to the number of full-time equivalent students placed in a resource room or mainstream instructional arrangements that is 25 percent higher than the statewide average ratio."

Change from current law: The bill eliminates the state required data analysis and reporting requirement related to least restrictive environment (LRE) placements. School districts will still be subject to federally required LRE data analysis and reporting, in addition to Performance Based Monitoring (PBM) data analysis and reporting specific to LRE.

HB 1224 **Author: Reynolds**

Statute Impacted: Amends Section 37.007(b), Education Code

Summary: This act allows a school district to expel a student who engages in conduct that contains the elements of the offense of breach of computer security under Section 33.02, Penal Code.

Change from current law: Computer breach was not included under this section that dictates the manner for which a student shall or may be expelled for certain offenses.

HB 1254 **Author: Pickett**

Statute Impacted: Adds Section 37.0815, Education Code

Summary: This act applies only to a county with a population of 800,000 or more and is adjacent to an international border. School districts within a county subject to this section shall meet and discuss countywide consolidation of

school district employment of peace officers and security personnel.

Change from current law: Not applicable

HB 1286 **Author: Howard, Donna**

Statute Impacted: Adds Section 33.0831, Education Code

Summary: This bill requires that the UIL legislative council submit a fiscal impact statement on all proposed and amended rules that would result in additional costs to member districts. Before such a rule or amended rule could take effect, the UIL must submit the rule and the fiscal impact statement to superintendents, if required under legislative-council procedures, or to the commissioner of education if legislative council procedures do not require its submission to superintendents.

Change from current law: Not applicable

HB 1334 **Author: Allen**

Statute Impacted: Adds Subsection 21.0031(f), Education Code

Summary: Provides that, for purposes of determining whether a Chapter 21 educator contract with a school has been voided by failure to maintain a valid SBEC certificate or permit, the certificate or permit is not considered to have expired if the educator has completed renewal requirements and applied for renewal prior to the expiration date, even if the renewal is not issued until after the expiration date.

Change from current law: Amends TEC §21.0031, which provides that an educator's Chapter 21 probationary, continuing, or term contract is void if the educator does not hold educator certification or an educator permit issued by SBEC, by specifying that, for purposes of this section, a certificate or permit is not considered to have expired if the requirements for renewal have been met and a renewal application submitted before the certificate or permit expires.

HB 1335 **Author: Allen**

Statute Impacted: Amends Section 29.001, Education Code

Summary: The intent of the legislation is to add to the current education code the requirement that LEAs develop a process to request a review of a student's individualized education plan for a teacher who instructs a student with a disability in a general class setting. The process must entail how a teacher requests a review, the timeline for the district's response to the teacher request for the review and, how a parent or legal guardian will be notified of the request.

Change from current law: Current requirements of TAC § 89.1075, require that each LEA have procedures to ensure that each teacher involved in a student's instruction has the opportunity to provide input and request assistance regarding the implementation of the student's IEP. These procedures must include a method for a student's regular or special education teachers to submit requests for further consideration of the student's IEP or its implementation. This new legislation now requires that LEAs establish a timeline for responding to a teacher's request and that the parent or legal guardian be informed of the request.

HB 1386 **Author: Coleman**

Statute Impacted: Adds Section 161.325, Health and Safety Code; amends Subsections 12.252(a)(3)(B) and 21.003(b), Education Code and ; amends Section 502.004(1), Occupations Code

Summary: The Texas Department of Health, in coordination with TEA, shall provide a list of recommended early mental health intervention and suicide prevention programs for implementation in Texas elementary, middle, junior high, and high schools. The recommended programs shall include staff training and procedures for recognition of students at risk of committing suicide. TEC §11.252 would be amended to require that school district improvement plans include strategies for addressing student needs through implementation of §161.325 suicide prevention programs. §21.003 would be amended to require that a person employed by a school district as a marriage and family therapist on or after September 1, 2013 hold a Texas professional license as a marriage and family therapist. Occupations Code §502.004(1) would reference the §21.003 exception for school marriage and family therapists hired before September 1, 2013.

Change from current law: Requires the development and implementation of suicide prevention programs in Texas public schools. After September 1, 2013, the bill would require schools that provide marriage and family therapy services to employ licensed marriage and family therapists for that purpose, but would allow persons hired to perform marriage and family therapy services in schools before September 1, 2013 to continue to do so even if they do not have the required license.

HB 1550**Author: Aycock**

Statute Impacted: Amends Section 2171.055(f), Government Code

Summary: This bill allows officers or employees of open-enrollment charter schools, engaged in official business, to participate in state travel service contracts in the same manner as traditional officers or employees of junior colleges and traditional school districts.

Change from current law: The change from current law is the explicit inclusion of officers and employees of open-enrollment charters as being able to participate in state travel service contracts in the same manner as traditional officers or employees of junior colleges and traditional school districts.

HB 1555**Author: Thompson**

Statute Impacted: Amends Sec. 25.0811, Education Code.

Summary: This section prohibits a school district from beginning instruction before the fourth Monday in August. The bill adds an exception to Sec. 25.0811 to allow a school district with an enrollment of 190,000 or more to begin instruction earlier at not more than 20 percent of its campuses if the instruction is locally funded and the days provided are additional to the number of days required under Section 25.081. The campuses must be undergoing comprehensive reform, as determined by the board of trustees, and the majority of the students at each of the affected campuses must be educationally disadvantaged (eligible for free or reduced lunch).

Change from current law: Currently, the only exception in Sec. 25.0811 is for year-round schools.

HB 1610**Author: Gonzales, Larry**

Statute Impacted: Amends Section 21.058 and 21.006, Education Code. Amends Section 21.12 (a) and (b-1), Penal Code.

Summary: This bill requires school districts and public charter schools to remove from the classroom and terminate employees whose certificates have been revoked because they have been convicted of certain crimes. In addition, the bill adds subsections (c-1) and c-2) that allow school districts and public charter schools to suspend without pay, declare a Chapter 21 educator contract void, and terminate educators who have been convicted of or received deferred adjudication for any felony offense. A significantly larger number of educators will be eligible for termination under this new subsection than were covered by 21.058 before this amendment, since it applies to all felonies and since the vast majority of felony sentences are deferred adjudications.

It also requires a superintendent or director of a charter school to complete an investigation into complaints of misconduct by an educator involving abuse or an unlawful act with a student or minor, once that investigation has begun, regardless of whether the educator resigns from district employment before completion of the investigation. It has been common practice for school districts to terminate their investigation once an educator resigns, thus leaving facts, circumstances and victims unsubstantiated.

The Penal Code is amended to change the elements for the crime of Improper Relationship Between an Educator and Student. The original goal of the bill was to allow prosecution of educators who were employed at the same district as a student with whom they were having sexual contact. As previously written, the law was being interpreted by some prosecutors to apply only to those sexual relationships that occurred between an educator and a student at the same primary or secondary school. Districts reported incidents where an educator would convince a student to change schools within the same district so that the relationship could continue without threat of prosecution under the existing law.

Change from current law: Makes it mandatory for a school district to remove from the classroom and terminate employees convicted of certain crimes. For the first time, the bill allows school districts and public charter schools to suspend without pay, declare a Chapter 21 educator contract void, and terminate educators who have been convicted of or received deferred adjudication for any felony offense. Previously 21.058 applied only to convictions and only to certain specified crimes.

It also adds new language to the requirement to report misconduct by an educator that requires a superintendent or director of a charter school to complete an investigation into complaints of misconduct by an educator involving abuse or an unlawful act with a student or minor, once that investigation has begun, regardless of whether the educator resigns from district employment before completion of the investigation.

21.12 of the Penal Code. The amended language limits prosecution to individuals certified by SBEC; the current language includes all employees of a school district or charter school. Allows prosecution of educators who were employed at the same district as a student with whom they were having sexual contact. As previously written, the law was being interpreted by some prosecutors to apply only to those sexual relationships that occurred between an educator and a student from the same primary or secondary school. Adds a new affirmative defense to prosecution for an educator who was (1) not more than three years older than the student, and (2) at the time of the offense, the

educator and the student were in a relationship that began before the educator's employment at the school.

HB 1682 **Author: Weber**

Statute Impacted: Adds Section 22.011, Education Code.

Summary: This legislation prohibits a school board or a school district employee from directly or indirectly requiring or coercing a school district employee to make a contribution to a charitable organization, make a contribution in response to a fund-raiser, or attend a meeting called for purpose of soliciting contributions. It also prohibits a school board or a school district employee from directly or indirectly requiring or coercing a school district employee to refrain from making a contribution to a charitable organization, to make a contribution in response to a fund-raiser or to attend a meeting called for the purpose of soliciting contributions. Change from current law: Not Applicable.

HB 1728 **Author: Keffer**

Statute Impacted: Amends Sections 44.901 and 44.902, Education Code

Summary: Section 44.901(a) is amended by adding clarification that a contract for energy or water conservation measures to reduce energy or water consumption or operating costs applies to a new or existing school facility. Subsection (f-1) is added stating that the board of trustees may use any available money, other than money borrowed from this state, to pay the provider of the energy or water conservation measures under this section, and the board is not required to pay for the energy or water conservation measures solely out of the savings realized by the school district under an energy saving performance contract and the board of trustees may contract with the provider of the energy or water conservation measures to perform work that is related to, connected with or otherwise ancillary to the measures identified in the scope of an energy savings performance contract and may use any available money as stated above.

Section 44.902 adds Subsection (b-1) a strategy for achieving energy efficiency includes facility design and construction. 44.902 (d) is amended to allow the board of trustees to submit their plan to the State Energy Conservation Office to determine if tax incentives administered by the state or federal government are available to the district in addition to funds available through loan programs. The board may not disallow any proper allocation of incentives.

Change from current law: Currently school districts may enter into energy savings performance contracts.

HB 1907 **Author: Madden**

Statute Impacted: Amends Article 15.27, Code of Criminal Procedure

Summary This bill requires that law enforcement notify district officials of the details surrounding the criminal behavior of an enrolled student. District officials must notify teachers and staff who are in direct contact with the student. If the superintendent or designee fails to provide this information, the board of trustees shall report the failure to do so to SBEC.

Change from current law: Information regarding arrest and detainment of students is limited when shared with school districts. In turn, district officials are often limited in the information that can be provided to teachers and staff who are in direct contact with certain students who commit certain offenses.

HB 1942 **Author: Patrick, Diane**

Statute Impacted: Amends Sections 21.451(d), 25.0342, 25.0342(a), 25.0342(b-1), 25.0342(b-2), 28.002, 37.001(b), 37.083(a), and 37.0832, Education Code

Summary: This bill provides authorizes training in preventing, identifying, responding to, and reporting incidents of bullying. The Act also authorizes a school district to transfer the student who engaged in bullying to another classroom or campus to which the victim is assigned. Finally, this act redefines "bullying" to more specifically delineate behaviors that apply. These apply if the conduct also exploits an imbalance of power between the student and the perpetrator and the student is victimized through written, verbal, or physical conduct and the bullying behavior interferes with a student's education or substantially disrupts the operation of a school.

It also requires that discipline for bullying of a student with disabilities comply with applicable requirements under federal law, including the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.); and the policy and any necessary procedures adopted be included in the student and employee handbooks and in the district improvement plan.

Change from current law: This bill adds training regarding bullying to TEC § 21.451(d). Previously, the transfer to another classroom or campus provisions applied only to the victim of bullying, and the new language adds the perpetrator of bullying behavior to that section. The Act directs the SBOE to include bullying and harassment

prevention to the Health TEKS. Finally, this bill more specifically delineates the definition of bullying.

HB 2038

Author: Price

Statute Impacted: Adds Subchapter D, Chapter 38, Education Code

Summary: This bill addresses prevention, treatment, and oversight of concussions affecting student athletes and requires each school district to appoint a concussion oversight team that includes a physician, and (to the extent practicable), one or more of the following: an athletic trainer, an advanced practice nurse, a neuropsychologist or a physician assistant. The team must develop a return-to-play protocol for a student believed to have sustained a concussion. Training requirements, student and parental acknowledgement forms, requirements for removal of a student believed to have sustained a concussion, requirements of the return-to-play protocol, and immunity and liability issues are also included in the Act.

Change from current law: TEC 33.202 requires safety training for all coaches or sponsors for athletic activities. The new legislation requires each school district to establish a concussion oversight team, requires training of certain persons in recognizing symptoms of concussion, and requires development of a return-to-play protocol for students believed to have sustained a concussion.

HB 2135

Author: Hochberg

Statute Impacted: Amends Sections 28.021, 28.0211, 39.023, 39.025, 39.053 and 39.203, Education Code

Summary: This bill states that a student in grades 3-8 is not required to be administered a grade level assessment if the student is enrolled in an above-grade-level course in the corresponding subject and will be administered an assessment or end-of-course (EOC) test for that above-grade-level course. Districts will be able to administer an assessment instrument to a grade 3-8 student based on enrolled course instead of enrolled grade if a student is taking a course that is above a student's enrolled grade and for which there is an assessment instrument.

A school district will not be required to administer to a student the corresponding Student Success Initiative assessment in grades 5 and 8 if the student is enrolled in either:

a course in the subject for which the student receives high school academic credit and will be administered an EOC assessment adopted under TEC §39.023(c) for the subject; or

a course in the subject intended for students above the student's grade level and will be administered an assessment instrument adopted under TEC §39.023(a) that aligns with the curriculum for the course in which the student is enrolled.

It also prohibits a student subject to SSI grade promotion requirements from being denied promotion on the basis of performance on an assessment if a student is taking an above-grade level assessment in lieu of the grade-level assessment. When determining promotion, a district will consider a student's test score on an assessment instrument listed under TEC §39.023(a), (b), or (l) only if the student is testing on-grade-level.

The commissioner shall adopt rules to ensure that the results from an EOC assessment taken by a student enrolled below grade 9 will count toward the student's assessment graduation requirements.

For accountability performance indicators, the performance measures on EOC assessments of students enrolled below grade 9 are required to be aggregated with the performance measures of other students enrolled at the same grade level.

Campuses may be awarded distinction designations for a significant number of students below grade 9 who perform satisfactorily on an EOC assessment.

Change from current law: Current Texas Education Code requires on-grade level testing for students enrolled in grades 3-8. In addition, a student in middle or elementary school who takes a course for high school credit is required to take both the grade-level assessment and the EOC assessment for that course.

Under the Student Success Initiative of Texas Education Code §28.0211, grades 5 and 8 students are required to take grade-level assessments in reading and mathematics for grade promotion purposes. Also, per TEC §28.021(c), when making a final determination on promotion, a district must consider the recommendation of the student's teacher, the student's grade in each course, the student's score on the applicable assessments under TEC §39.023(a), (b), or (l), and any other necessary academic information.

HB 2135 states that school districts are not required to administer the grade-level assessment if the student is taking an above-grade-level assessment in a course for which they are enrolled, and addresses use of EOC performance results of students below grade 9 taking an EOC assessment, including how those results must be included in accountability performance indicators. The legislation gives the commissioner authority to add another campus distinction designation to the accountability system.

HB 2366

Author: Truitt

Statute Impacted: Adds Section 12.117(c), Education Code

Summary: The impact of the added TEC §12.117(c)(1) is to declare that any open-enrollment charter school granted to a municipality is considered a work-site open-enrollment charter school for the purposes of federal regulations regarding admissions policies that apply to open-enrollment charter schools receiving federal funding. The added TEC §12.117(c)(2) states that an open-enrollment charter school granted to a municipality may admit children of employees of the municipality before conducting a lottery, provided that the number of children admitted under this provision constitutes only a small percentage, as may be further specified by federal regulation, of the school's total enrollment.

Change from current law: There was no provision, prior to the addition of TEC §12.117(c), to declare charters granted to municipalities work-site charters for the purposes of federal regulations regarding admissions policies.

HB 2380 Author: Shelton

Statute Impacted: Adds Section 21.102(a-1).

Summary: Adds to the categories of persons who may be employed under a probationary contract a person who is employed in a new professional capacity that requires a different class of certificate under Subchapter than the class of certificate held by the person in a professional capacity in which the person was previously employed. If the person is subsequently returned to a previous professional capacity, the person is entitled to the same contractual status previously held by the person in that professional capacity.

Classes of certificates include superintendent, principal, classroom teacher, instructional educator other than classroom teacher, master teacher, school librarian, school counselor, educational diagnostician, and educational aide.

Change from current law: Currently, a school district may hire a teacher under a probationary contract if it is the person's first employment with the district, the person has not been employed with the district for more than two consecutive school years subsequent to 1967 or the person has had a two year lapse from employment with the district.

HB 2702, Sections 8, 9, 10, and 189. Author: Solomons

Statute Impacted: Amends Sections 11.0581(a), 28.025(b-9), and 45.105(e), Education Code. Also amends Sections 5 and 6, Chapter 706 (H.B. 1015), Acts of the 59th Legislature, Regular Session, 1965 (Article 2688i-1, Vernon's Texas Civil Statutes).

Summary: Taking into account the new census data contained in the 2010 federal census, the bill updates population brackets as necessary so that those brackets continue to apply to the political subdivisions to which they applied pursuant to the previous census.

HB 2702, Section 9 Author: Solomons

Statute Impacted: Amends Section 28.025(b-9), Education Code

Summary: This legislation adjusts eligibility for a fine arts pilot program by changing the percent of the population that must reside in a single municipality from 80 percent to 75 percent.

Change from current law: Under current law the agency is required to establish a pilot program allowing a student attending school in a county with a population of more than one million and in which more than 80 percent of the population resides in a single municipality to satisfy the fine arts graduation requirement by participating in a fine arts program not provided by the school district in which the student is enrolled. This legislation changes the percentage of the population that must reside in a single municipality to 75 percent. Based on 2010 census data, Bexar County is still the only county that is eligible for the pilot.

HB 2909 Author: Branch

Statute Impacted: Amends Sections 29.911; 61.076(c); 61.9701(b); and 61.9703, Education Code

Summary: This legislation renames "Education: Go Get It" Week to be renamed to "Generation Texas" Week. It requires school districts and open-enrollment charter schools to provide students with information regarding the college readiness standards and expectations in addition to current statutory requirements to educate middle, junior high and high school students about the importance of higher education.

This legislation increases the number of additional members that the co-chairs of the P-16 Council may appoint from three to six additional members who are education professionals, agency or business representatives or other community members.

This legislation requires that the public awareness campaign promoting higher education include the benefits of obtaining a postsecondary education; the types of higher education institutions and degree programs; the academic

preparation needed to successfully pursue a postsecondary education as determined by the college readiness standards and any other requirements for enrollment at an institution of higher education; and how to obtain financial aid and what forms of financial aid are available.

This legislation requires the Texas Higher Education Coordinating Board (THECB) to coordinate with the Texas Education Agency, the P-16 Council, and other appropriate entities, including regional P-16 councils and businesses, to implement the public awareness campaign.

Change from current law: This legislation changes the current “Education: Go Get It” Week name to “Generation Texas” Week. Information on college readiness standards and expectations have been added as a part of the comprehensive grade-appropriate information that must be provided to students. Under current law, the provision of information on certain topics in the higher education public awareness campaign is permissive. This legislation makes the provisions of information listed required. Under current law, the THECB is permitted to coordinate with other agencies as necessary to implement the public awareness campaign. This legislation requires the THECB to coordinate with TEA, the P-16 Council, and other appropriate entities to implement the campaign.

HB 2971 **Author: Smith, Todd**

Statute Impacted: Amends Section 21.355, Education Code

Summary: This bill provides that documents evaluating the performance of a teacher or administrator employed by an open-enrollment charter school are confidential.

Change from current law: Amends TEC §21.355 by adding subsections (b) and (c) to clarify that the section covers charter school educators as well as other public school educators, with the exception that appraisals can be furnished to another charter school or school district where the educator is seeking employment.

HB 3468 **Author: Patrick, Diane**

Statute Impacted: Adds Sections 28.0141; 29.2531; 51.3062 (t), (u), (v), and (w); and 61.059 (b-1), Education Code

Summary: This bill requires TEA, in consultation with the THECB, to conduct a study for the best practices of existing programs of early assessment of high school students in order to determine college readiness, identify deficiencies in college readiness, and provide recommendations of intervention before high school graduation to address identified deficiencies. The study would be required to include a review of the efficacy and associated costs of the following:

various assessments, including end-of-course exams authorized in TEC §39.023(c) and any assessment being proposed as a statewide model by THECB under new TEC, §51.3062(v);

various early intervention models, including:

summer bridge programs

college preparatory English and mathematics courses for high school credit,

developmental education programs, including college readiness programs authorized in §39.234 and college study skills courses; and

dual credit courses.

The report resulting from the study would be due to the governor, lieutenant governor, and legislative leaders December 1, 2012, and would be required to contain recommendations on college-readiness interventions and assessments.

It requires TEA, in consultation with the THECB, to review the standardized assessment mechanism for adult education participants who need literacy instruction, adult basic education, or secondary education leading to an adult high school diploma. The agency would be required to recommend any changes necessary to align the assessment with the TSI assessments authorized in §51.3062.

It also requires the THECB to encourage public junior colleges to offer a variety of developmental coursework that addresses various levels of deficiency as indicated by a Texas Success Initiative assessment. These courses, to the extent practicable, must be offered for credit, noncredit, and demonstration of proficiency options. The board is also required to use evidence-based studies and existing data to analyze appropriate assessments, differentiated placements, cost-effective funding options, and whether any of the TSI exemption categories should be retained.

The report is due to the governor, lieutenant governor, and legislative leaders December 1, 2012 and must include a recommendation for a statewide diagnostic standard assessment instrument.

This bill requires the THECB to include recommendations for changes in formula funding for developmental education courses in its periodic review of formulas required in TEC, §61.059.

Change from current law: Not Applicable

HB 3506**Author: Villarreal**

Statute Impacted: Amends Section 42.155, Education Code

Summary: This bill allows a school district to use transportation allotment funds to provide a bus pass or card for another transportation system to each student who is eligible to use the school district's transportation system but for whom that system is not a feasible method of providing transportation.

Change from current law: Not applicable

HB 3708, Sections 2, 5, 6, and 13 Author: Hochberg

Statute Impacted: Amends Sections 54.213(b), 56.204(a), and 56.207(b), Education Code

Summary: This legislation limits funding for the Early High School Graduation Scholarship program to an amount that is appropriated for the current state fiscal year to pay for a state credit to apply toward tuition or tuition and mandatory fees, as applicable, at a Texas public or private institution. The legislation requires the commissioner of education to award the credits to eligible individuals. It also repeals the requirement that a portion of the savings to the Foundation School Program resulting from students who graduate early to be used to provide credits for tuition or tuition and mandatory fees, as applicable.

Change from current law: Under current law, an eligible student is entitled, under the Early High School Graduation Scholarship program, to a state credit to apply toward tuition or tuition and mandatory fees, as applicable, at a public or private institution of higher education in Texas. Section 56.208 outlines the formula that the commissioner must use to determine the reduction in foundation school program payments to school districts that have students who graduate early. Savings to the foundation school fund that occur as a result of the Early High School Graduation Scholarship program and that are not required for the funding of state credits for tuition and mandatory fees or school district credits must be used first to provide tuition exemptions. This legislation repeals the section that requires a portion of the savings to the Foundation School Program that occur as a result of the program be dedicated to state credits for tuition or tuition and mandatory fees, as applicable, provided to an eligible person under the program.

Under current law, on receipt of a report from the THECB, the commissioner of education must transfer to the THECB, from funds appropriated for the Foundation School Program, an amount sufficient to pay each eligible institution of higher education the amount of state credit for tuition or tuition and mandatory fees, as applicable, that is applied by the institution during the period covered by the report. This legislation requires the commissioner to appropriate funds from the Early High School Graduation Scholarship Program instead of the Foundation School Program for this purpose.

Under current law TEA must accept and make available to provide tuition exemptions gifts, grants, and donations made to the agency for that purpose. This legislation requires the commissioner of education to transfer those funds to the THECB to distribute to institutions of higher education that provide exemptions.

SB 6 (1st Called Session) Author: Shapiro

Statute Impacted: Amends Sections 7.055-.056, 7.102, 7.108, 7.112, 11.158, 11.164, 19.007, 26.006, 28.002, 28.0022, 28.003, 28.011, 31.001-.005, 31.021-.035, 21.071-.077, 21.101-.106, 21.151-.153, 39.303, 41.124, 43.001, Education Code. Adds Sections 5.002, 31.0211-.0214, 31.0242, 32.201-.205, Education Code. Repeals 31.002(3), 31.021(b), (e)-(f), 31.0222, 31.025, 31.035(e) (g), 31.072(c), 31.073(a)-(b), 31.101(b), (b-1), (c), (c-1), 31.1011, 31.103(a), (e), 31.1031, 31.201, 32.005, 32.251-.247, 32.259-.263, 32.351-.355, Education Code. Repeals Section 2175.128(a-1), (b-1), Government Code.

Summary: This bill changes references throughout the Texas Education Code from textbooks to instructional materials. Remaining references to textbooks in the Texas Education Code are defined to mean instructional materials.

This bill creates an instructional materials fund and creates a per student instructional materials allotment (IMA) to be determined by the commissioner with adjustments for high enrollment growth. It retains the SBOE Review and Adoption Process with the SBOE determining the percent of TEKS covered. It revises the requirements for the adoption cycle and establishes priorities for the adoption cycle. It combines the conforming and non-conforming instructional materials list into one list.

This bill requires each district to certify IMA funds have been used only for authorized purposes and that for each subject and grade level, the district provides each student with instructional materials that cover all the elements of the TEKS adopted by the SBOE for that subject and grade level. Instructional materials are the property of the district and districts may sell or dispose of instructional materials that are out-of-adoption or before out-of-adoption if they notify commissioner

This legislation repeals textbook credits, maximum cost, the requirement for a depository, the technology allotment

and the classroom set requirement.

SB 8 (1st Called Session) Author: Shapiro

Statute Impacted: Amends Sections 21.0031, 21.051, 21.103-.104, 21.1041, 21.156-.157, 21.159, 21.206-.207, 21.212, 21.251, 21.259, 21.402, 38.101, Adds Sections 21.4021-.4022, 21.4032, 42.009, 44.011, Education Code. Adds Section 552.2661, Government Code. Repeals Sections 12.1331, 21.402(d), 33.902(b)-(c), Education Code. Summary: This bill repeals the provision that prohibits districts from reducing the salaries of teachers, counselors, nurses, librarians and speech pathologists below the 2010-11 levels. It allows districts to furlough employees. It requires the commissioner to adopt minimum standards defining the conditions that must exist for a declaration of financial exigency. It allows a school board to amend the terms of a superintendent's contract when the school board declares financial exigency and implements a reduction in force. It makes changes in the provision for termination, non-renewals and hearings for teacher contracts. It expands the circumstances under which a district may declare an employee's probationary or continuing contract void. It makes changes to the field-based experience requirements for certification. Limits the administration of the FITNESSGRAM to only those students who are enrolled in a course for PE credit. It provides Public Information Act relief based on nonpayment of estimated charges for school districts

SB 18 Author: Estes | Duncan

Statute Impacted: Amends Section 11.155(a), Education Code. Summary: The bill amends Chapter 2206, Government Code, to prohibit the use of eminent domain for a purpose that is not for a public use and to establish procedures required to initiate eminent domain proceeding. The bill includes a conforming amendment to Section 11.155(a), Education Code. The amendment to Section 11.155(a) applies to a condemnation proceeding filed on or after the effective date of the bill. Change from current law: Section 11.155(a), Education Code, currently refers to a "purpose" necessary to the district rather than a "public use" necessary to the district.

SB 27 Author: Zaffirini

Statute Impacted: Adds Section 38.0151, Education Code Summary: This bill requires each school district to implement and administer a policy for the care of students at risk for anaphylaxis based on guidelines developed by the commissioner of state health services, in consultation with an ad hoc committee appointed by the commissioner of state health services. Membership of the ad hoc committee and immunity issues are also addressed in the Act. Change from current law: Currently, TEC § 38.015 states that a student with asthma or anaphylaxis is entitled to possess and self-administer prescription asthma or anaphylaxis medicine while on school property or at a school-related event or activity if certain conditions are met.

SB 49 Author: Zaffirini

Statute Impacted: Amends Section 37.008, Education Code Summary: This bill requires a school district to provide the parents of a student removed to a disciplinary alternative education program with written notice of the district's obligation to provide the student with an opportunity to complete coursework required for graduation. The notice must include information regarding all methods available for completing the coursework; and state that the methods are available at no cost to the student. Change from current law: Not applicable

SB 54 Author: Zaffirini

Statute Impacted: Adds Section 21.0485, Education Code Summary: Provides that, after September 1, 2011, a person seeking initial certification to teach students with visual impairments must complete an approved educator preparation program for that certificate, pass the required certification examinations after completing the preparation program, and meet all other SBEC requirements. Change from current law: Would create an additional exception to the availability of certification by examination pursuant to SBEC rule 19 TAC 230.437 by requiring existing educators to complete a visual impairment educator preparation program in order to obtain certification in that field.

SB 100 Author: Van de Putte

Statute Impacted: Amends Sections 11.055(a) and (c), 11.056(b), and 11.059(e), Education Code Summary: The amendments to Section 11.055 extends the deadline, with certain exceptions, for filing an

application to get on the ballot for a school district board of trustees from the 62nd day to the 71st day before the date of the election and extends the deadline for filing an application if the election will be held on the date of the general election for state and county officers from the 70th day to the 78th day before election day.

The amendments to Section 11.056(b) and the repeal of Section 11.056(e) change the deadline for filing a declaration of write-in candidacy in connection with an election for trustees of an independent school district from the fifth day after the date an application for a place on the ballot is required to be filed to the 74th day before election day, for an election to be held on the date of the general election for state and county officers, and the 71st day before election day, for an election to be held on a uniform election date other than the date of the general election for state and county officers.

The amendments to Section 11.059(e) extend the deadline for a board of trustees to adopt a resolution changing the length of the terms of its trustees from December 31, 2007, to December 31, 2011; require that the terms be staggered; require the transition to a modified term to begin with the first regular election for trustees that occurs after January 1, 2012, rather than January 1, 2008; require a trustee who serves on that date to serve the remainder of that term; and make these provisions expire January 1, 2017, rather than January 1, 2013.

SB 149 **Author: Shapiro**

Statute Impacted: Amends Sections 28.009(b) and (c), and Adds Section 28.009(c-1), Education Code

Summary: This legislation would permit the commissioner of education and the Texas Higher Education Coordinating Board (THECB) to adopt rules regarding duties of school districts and public institutions of higher education related to the College Credit Program.

In addition, the legislation would remove the requirement that districts report the amount of college credit earned by a student who participated in the program and the cumulative number of courses in which participating students have enrolled. Instead, the legislation would require districts to report the number of students who have participated in the program and the college courses for which participating students earned high school credit.

The legislation would require the commissioner of education and the THECB to share data as necessary to enable school districts to comply with the requirements of the program.

Change from current law: Current law does not address rulemaking for the commissioner or THECB concerning the duties of school districts or public institutions of higher education regarding reporting information about the college credit program.

Current law includes reporting requirements for school districts that the districts are unable to fulfill and this legislation would address the issue. The change in law requires that the commissioner and the THECB share data as necessary to enable school districts to comply with reporting requirements.

SB 226 **Author: Nelson**

Statute Impacted: Amends Section 38.103, Education Code

Summary: This bill requires districts to provide the results of individual student performance on the annual physical fitness assessment administered to students to the Texas Education Agency (TEA), rather than requiring a school district to compile the results of the physical fitness assessment and provide summary results. The bill prohibits the results from containing a student's social security number or date of birth, in addition to the names of individual students or teachers.

Change from current law: TEA previously could only collect aggregate data from the districts. This amendment will allow TEA to collect student-level data.

SB 290 **Author: Watson**

Statute Impacted: Amends Section 28.0021(a) and Section 31.0231, Education Code

Summary: This legislation requires the State Board of Education (SBOE) to include, personal financial literacy in the mathematics Texas Essential Knowledge and Skills (TEKS) in kindergarten through grade eight.

This legislation also requires the commissioner to adopt a list of electronic textbooks or other instructional material that address personal financial literacy in kindergarten through grade eight. The legislation requires the SBOE to review and adopt mathematics textbooks that include personal financial literacy in kindergarten through grade eight on the next scheduled review and adoption cycle for mathematics textbooks.

Change from current law: Current law requires personal financial literacy instruction in one or more courses required for high school graduation, but does not require instruction in personal financial literacy in earlier grade levels or specifically in mathematics.

SB 391 **Author: Patrick, Dan**

Statute Impacted: Amends Section 31.027; 31.027(a) and (b); Adds Section 31.022 (d-1), Education Code
Summary: This legislation requires the notice published by the State Board of Education under subsection (d) to state that a publisher of an adopted textbook for a grade level other than prekindergarten must submit an electronic sample of the textbook as required by the bill's provisions and may not submit a print sample copy. Additionally, the bill requires that the sample of an adopted textbook provided by a textbook publisher on request of a school district be electronic and that the sample of each adopted textbook provided by a textbook publisher to be maintained at each regional education service center be electronic. The bill removes language specifying that such samples are sample copies and that the number of samples provided by a publisher to be maintained at each regional education service center is at least two.
Change from current law: Textbook publishers are currently required to provide school districts and regional education service centers with print sample copies of adopted textbooks.

SB 407

Author: Watson

Statute Impacted: Adds Section 37.218, Education Code
Summary: This legislation requires the Texas School Safety Center, currently residing at Texas State University, to develop programs that address the legal consequences and other possible consequences of sharing visual material depicting a minor engaged in sexual conduct. The programs must also address the prevention, identification, response to, reporting of incidents of bullying, and the connection between bullying, cyber-bullying, and sharing of visual material depicting a minor engaged in sexual conduct.
Change from current law: Currently, Subchapter G, Chapter 37, Education Code refers to the duties and definitions of the Texas School Safety Center. Under section 37.217, the Texas School Safety Center shall develop a program that provides instruction on internet safety including reporting, prevention, and potential dangers.

SB 419

Author: West

Statute Impacted: Amends Section 130.008, Education Code
Summary: This legislation would exclude college courses that earn students high school physical education credit from being included in the contact hours used to determine a junior college's proportionate share of state funding.
Change from current law: Current law allows both institutions (high school and college) to count the time spent in courses for dual credit toward funding accounting regardless of whether or not the student is required to pay. That funding is currently calculated through average daily attendance for the high school and through contact hours for the college. This legislation would exclude physical education courses from that calculation.

SB 471

Author: West

Statute Impacted: Amends Section 11.252(a) and Section 38.0041, Education Code; Amends Section 42.0426, Human Resources Code
Summary: The bill requires school districts, child-placing centers, and child care centers to include a policy addressing sexual abuse and other maltreatment of children in their district improvement plans or organization policies as appropriate. The bill then lays out required methods and content of training for preventing and increasing awareness about child sexual abuse and maltreatment. The bill provides for required record keeping and methods for no-cost collaboration with community organizations if the district does not have the resources for the training. The Act also addresses immunity issues.
Change from current law: Education Code 11.252 provides the provisions and guidelines that each school district must follow in regards to district improvement plan. Education Code 38.0041 provides that each school district shall adopt and implement a policy addressing sexual abuse of children to be included in the district improvement plan and any informational handbook provided to students and parents. The Code did not previously include "maltreatment of children". Current law also requires that policies must address methods for increasing teacher, student, and parent awareness of issues regarding sexual abuse of children, including knowledge of likely warning signs indicating that a child may be a victim of sexual abuse.

SB 653 Sec. 221.056 Author: Whitmire

Statute Impacted: Adds Title 12, Human Resources Code
Summary: Changes the designation of then Texas Youth Commission to a department under the Texas Juvenile Justice Board and Texas Juvenile Justice Department. This section of the bill allows the department to contract with a local mental health and mental retardation authority to establish residential facilities for juveniles with mental illness or emotional injury who, as a condition of juvenile probation, are ordered by a court to reside at the facility and receive education services at the same facility. The facility must provide educational services through a charter

school.

Change from current law: Previously, this authority was only granted to the commission for unutilized or underutilized residential treatment facilities. This bill eliminates this designation for the new department.

SB 729 **Author: Seliger**

Statute Impacted: Amends Section 11.0581(a), Education Code.

Summary: Section 11.0581 requires a school district to hold its trustee election as a joint election with another political subdivision. This bill authorizes the election to be held with a junior college district with which the school district shares territory.

Change from current law: Currently under Section 11.0581, a school district may hold its trustee election on the same date as 1) the city council election for a city that shares territory with the school district, 2) the general election for state and county officers, or 3) for certain school districts, the election for the governing body of a hospital district.

SB 736 **Author: Hinojosa**

Statute Impacted: Amends Section 28.004(d), Education Code

Summary: The bill amends the Education Code to include local domestic violence programs among the specified groups from which a school district's board of trustees is authorized to appoint one or more persons to serve on the district's local school health advisory council.

Change from current law: Local domestic violence programs were previously not among the specified groups that could be appointed to serve on local school health advisory councils.

SB 738 **Author: Shapiro**

Statute Impacted: Amends Section 39.107, Education Code

Summary: Section 39.107 addresses reconstitution, repurposing, alternative management, and closure of campuses with continuing performance concerns.

Section 39.107(e) requires the commissioner to order repurposing, alternative management, or closure of a campus if the campus is considered to have an unacceptable performance rating for three consecutive school years after the campus is reconstituted, and subsection (e-1) allows the commissioner to waive the requirement to enter such an order for not more than one school year if the commissioner determines that, on the basis of significant improvement in student performance over the preceding two school years, the campus is likely to be assigned an acceptable performance rating for the following school year. Section 39.107(e) is amended to add a reference to existing subsection (e-1) and the newly-added subsection (e-2).

Subsection (e-2) establishes new requirements related to implementation of campus sanctions under section 39.107(e). If the commissioner is presented, in the time and manner specified by commissioner rule, a written petition signed by the parents of a majority of the students enrolled at a campus that is subject to an "ultimate" sanction under subsection (e), the commissioner shall, except as otherwise authorized under subsection (e-2), order the specific sanction action requested by the parents. However, if the board of trustees of the district presents to the commissioner, in the time and manner specified by commissioner rule, a written request that the commissioner order a specific action other than the action requested by parents and a written explanation of the basis for the board's request, the commissioner may order the action requested by the board of trustees. For the purposes of the new subsection, "parent" has the meaning assigned by Section 12.051, which is the parent who is indicated on the student registration form at that school campus.

Subsection (e-3) clarifies that, for the purposes of subsection (e-2), the signature of only one parent of a student is required.

Change from current law: Current Section 39.107(e) requires the commissioner to order repurposing, alternative management, or closure of a campus if the campus is considered to have an unacceptable performance rating for three consecutive school years after the campus is reconstituted, with an allowance to waive the requirement to enter such an order for not more than one school year under certain circumstances specified in subsection (e-1). Under current law, the commissioner is charged with making the determination of which "ultimate" sanction to order for the underperforming campus subject to subsection (e). The change in law would allow the parents of a majority of the students enrolled at the campus to request a specific sanction action, and the commissioner would be required to comply with the request, except in a circumstance in which the board of trustees of the district requests an action other than the one requested by the parents in the parents' petition. In a case in which the board of trustees requests an action that differs from the action requested by the parents, the commissioner may order the action requested by the board.

SB 764 **Author: Williams**

Statute Impacted: Adds Section 11.178, Education Code

Summary: The new section prohibits a school district from imposing taxes, issuing bonds, or using employees or other district resources to acquire property for a hotel. It also prohibits a school district from entering into a lease, contract, or other agreement that obligates the district to take an action prohibited under the section.

Change from current law: Not Applicable.

SB 778 **Author: Williams**

Statute Impacted: Subsections 11.251(b) and (e), Education Code

Summary: The bill alters the membership of district-level and campus-level planning and decision-making committees.

Change from current law: The bill requires, if practicable, that district-level and campus-level planning and decision-making committees include at least one professional staff member with the primary responsibility for educating students with disabilities.

SB 866 **Author: Deuell**

Statute Impacted: Section 21.044 is amended; Sections 21.054 (b) and (c) are added; Section 38.003 (b-1) is added; Section 38.0031 is added; Section 51.9701 is added, Education Code.

Summary: The bill requires that a person receiving a teacher's certification must receive, as part of his/her bachelor's degree, instruction in detection and education of students with dyslexia. The instruction must be developed by a panel of experts in the diagnosis and treatment of dyslexia who are employed by institutions of higher education and approved by the State Board for Educator Certification (SBEC). Instruction must include information on characteristics and identification of dyslexia and on effective, multisensory strategies for teaching students with dyslexia. This training would be required for all persons who enter an institution of higher education in the 2011-2012 school year and beyond. This does not apply to those receiving certification through an alternative certification program.

It also requires educators who teach students with dyslexia to receive training regarding new research and practices in educating students with dyslexia as part of their continuing education requirements and specifies that the training may be provided online.

It prohibits retesting of students identified as having dyslexia for the purpose of reassessing the student's need for accommodations until the district reevaluates the information obtained from previous testing of the student.

It requires the agency to establish a committee to develop a plan for integrating technology into the classroom to help accommodate students with dyslexia. The plan must determine the classroom technologies that are useful and practical in assisting public schools in accommodating students with dyslexia, considering budget constraints of school districts, and develop a strategy for providing those technologies to students. The agency must provide the plan and information about the availability and benefits of the identified technologies to school districts.

The bill requires that an institution of higher education not reassess a student determined to have dyslexia for the purpose of assessing the student's need for accommodations until the institution of higher education reevaluates the information obtained from previous assessments of the student.

For all sections of the bill, the statute applies beginning with the 2011-2012 school year.

Change from current law: Current law requires SBEC to specify the minimum academic qualifications required for a teaching certificate. This legislation requires the minimum academic qualifications in current statute to require an individual to receive training in dyslexia. In addition, current statute requires SBEC to propose rules establishing a process for identifying continuing education courses and programs that fulfill educators' continuing education requirements. This legislation specifies that continuing education requirements for an educator who teaches students with dyslexia must include training regarding new research and practices in educating students with dyslexia.

Currently, statute requires that students enrolling in public schools be tested for dyslexia and related disorders at appropriate times. This legislation prohibits retesting of students identified as having dyslexia, whether in high school or attending an institution of higher learning, for the purpose of reassessing the student's need for accommodations until the district or institution of higher education reevaluates the information obtained from previous testing of the student.

SB 867 **Author: Deuell**

Statute Impacted: Adds Section 54.003, Occupations Code

Summary: This bill requires each licensing examination administered by a state agency to provide reasonable

examination accommodations to an examinee diagnosed as having dyslexia. Requires state agencies to adopt rules to implement this requirement no later than December 1, 2011.

Change from current law: Codifies into state licensing law existing federal requirements for accommodations to persons with disabilities and requires state agencies to adopt rules to implement this requirement. The requirement will apply to educator certification examinations, driver training licensing examinations and any other licensing examinations administered by TEA.

SB 966 **Author: Uresti**

Statute Impacted: Amends Section 28.0251, Education Code

Summary: This legislation allows school districts to award high school diplomas to veterans of the Persian Gulf War, the Iraq War, the war in Afghanistan, or any other war formally declared by the United States or military engagements or conflicts authorized by the U.S. President, Congress, or the United Nations Security Council. The legislation would allow individuals scheduled to graduate after 1989 to qualify to receive a high school diploma if they meet certain criteria. This legislation specifies that qualifying individuals must have completed the sixth grade or higher before leaving school to serve in the military.

Change from current law: Current law permits a school district to award high school diplomas to certain veterans of World War II, the Korean War, and the Vietnam War. This legislation expands the current statute to allow a school district to award high school diplomas to veterans of the Persian Gulf War, the Iraq War, the war in Afghanistan, or any other war formally declared by the United States or military engagements or conflicts authorized by the U.S. President, Congress, or the United Nations Security Council. This legislation also changes the eligibility requirements to include individuals who left school after 1989 after completing the sixth or higher grade.

SB 975 **Author: Hinojosa**

Statute Impacted: Adds Education Code 29.401; 29.402; 29.403; 29.404

Summary: This bill authorizes an eligible public junior college and eligible school districts to create a partnership to establish a dropout recovery program. A junior college serving a county with a population of 750,000 or more and with less than 65% of the population aged 25 or older having graduated from high school, may partner with school districts with a dropout rate that is higher than 15%, to provide an on-college-campus dropout recovery program that will lead to a high school diploma from the partnering school district. The statute identifies responsibilities of the school district and the junior college when entering into the partnership agreement. The statute clarifies that the district remains accountable for student attendance and student compliance with state curriculum standards and assessment requirements. The statute sets forth requirements for student eligibility, use of best practices, program operation, and funding. The eligible parties may enter into an agreement September 1, 2012.

Change from current law: Current law, Texas Education Code 29.081 (e) and (f), establishes the conditions under which a school district may use a private or public community-based dropout recovery education program to provide alternative education programs for students at risk of dropping out of school. Consistent with this statute, SB 975 creates a pilot initiative specifying that school districts meeting certain criteria may enter into a partnership with a junior college meeting certain criteria to create a program enabling students who have dropped out to earn a high school diploma. The provision in Section 29.401 designating the eligible county to participate expires on September 1, 2013 when the program may be implemented statewide.

SB 1048 **Author: Jackson, Mike**

Statute Impacted: Adds Chapters 2267 and 2268, Government Code.

Summary: Chapter 2267 authorizes governmental entities — defined as a state board, commission, agency, higher education institution, and other political subdivision (school districts) — to enter into comprehensive agreements to construct qualifying public projects, including buildings, hospitals, schools, public works, recreational facilities, and others. Provisions would be liberally constructed and would not prohibit a governmental entity from entering into an agreement under other authority in current law.

Chapter 2268 establishes a Partnership Advisory Commission which is composed of 11 members: the chair of the House Appropriations Committee or the chair's designee; three representatives appointed by the speaker of the house of representatives; the chair of the Senate Finance Committee or the chair's designee; three senators appointed by the lieutenant governor; and three representatives of the executive branch, appointed by the governor.

Change from current law: Currently school districts follow TEC 44.031 when procuring services to construct a new facility. They hire qualified professionals including an architect and engineer to help with the construction of the facility. The construction of the facilities is financed either through the selling of bonds, long term notes or district's fund balance.

SB 1094 **Author: Rodriguez**

Statute Impacted: Amends Section 7.111, Education Code

Summary: This bill requires the SBOE by rule to develop and deliver high school equivalency examinations and provide for online administration of the examinations. The rules must provide a procedure for verifying the identity of the person taking the examination and must prohibit a person under 18 years of age from taking the examination online.

Change from current law: Not applicable.

SB 1106 **Author: Harris**

Statute Impacted: Amends Section 37.084, Education Code

Summary: This bill requires the district superintendent or designee to provide all confidential educational records to a juvenile service provider when the student is taken into custody or referred to a juvenile court. Districts must keep transferred educational records for no less than seven years after the transfer to the juvenile service provider. The transferred records may only be used in order to determine the student's identity and educational services rendered.

Change from current law: Currently, this section allows district officials to decide whether it is in the best interest of the district to share confidential student information, including educational records, when a student is taken into custody or referred to juvenile court.

SB 1383 **Author: Shapiro**

Statute Impacted: Amends Sections 21.354 and 21.451 and adds Section 21.3541, Education Code

Summary: This legislation requires the commissioner to establish and administer an appraisal and professional development system for principals that includes school leadership standards and indicators. Districts are not required to adopt the new appraisal system, but a similar system must be developed locally and adopted by the school board. This section allows the commissioner to establish a consortium of experts in order to research and assist in developing the appraisal system.

Change from current law: Amending 21.354 distinguishes the principal appraisal system from the current appraisal of other administrators. TEC 21.3541 requires the commissioner to establish a specific appraisal system for principals. Amending TEC 21.451 governs the professional development that must be provided to a principal and the professional development that must be provided to an administrator other than a principal.

SB 1410 **Author: Duncan**

Statute Impacted: Amends Sections 29.185 and 61.858, Education Code

Summary: This legislation requires TEA to set up procedures for school districts and open-enrollment charter schools to identify tech-prep students and report the number of tech-prep students to TEA and the Texas Higher Education Coordinating Board (THECB).

The legislation requires THECB to develop and implement a statewide system to evaluate each tech-prep consortium that (1) assesses each tech-prep consortium's performance during the past year, (2) identifies any concerns about performance, and (3) recommends improvements. THECB is also required to evaluate each consortium annually, and onsite at least once every four years, and provide a written report to each consortium by November 1 of each year. The report must include findings, concerns, and recommendations; the results of THECB's evaluation; areas in which the consortium has improved or needs to improve; and best practices.

Change from current law: This legislation adds an explicit requirement that TEA establish procedures for school districts and open-enrollment charter schools to identify and report the number of students enrolled in a tech-prep program to TEA and THECB. TEA currently has procedures for identifying tech-prep students. School districts and charter schools currently report tech-prep enrollment to TEA and TEA provides enrollment data to THECB. The current arrangement may satisfy the new requirement resulting in no substantive change for districts.

This legislation includes a more prescriptive structure for evaluation by the THECB of tech-prep programs and doubles the frequency of evaluation from a biannual to an annual schedule.

SB 1484 **Author: Shapiro**

Statute Impacted: Amends Sections 39.201, 12.104(b) and Adds Section 39.2011, Education Code

Summary: This legislation extends eligibility for distinction designations to charter schools, if they are not evaluated under alternative education accountability procedures. Campuses operated by charter schools are eligible for campus distinction designations and charter schools that operate more than one campus are eligible for district distinction designations.

Change from current law: Under current law, charter schools are not eligible for distinction designations.

SB Author: Whitmire

Statute Impacted: Amends Sections 25.094(a) and 25.091(a) and (b), Education Code; Sections 54.021(a) and (b), 54.05(a) and (b), and 58.106(a), Family Code; Articles 45.055(a) and 102.0174(b) and (c), Code of Criminal Procedure; and Sections 102.061 and 102.081, Government Code. Adds Section 25.0915, Education Code; Sections 51.03(e-1), 54.0402, 54.05(a-1), and 58.106(a-1), Family Code; and Articles 45.054(i) and (j) and 45.055(e), Code of Criminal Procedure.

Summary: The bill limits the Class C misdemeanor offense of Failure to Attend School under Sec. 25.094, Education Code, to persons 12 years of age or older and younger than 18. The bill extends juvenile court jurisdiction for truancy from conduct occurring on or after a child is age 10 to conduct occurring before age 18 and allows disposition orders to extend beyond the person's 18th birthday. The bill also limits juvenile court truancy disposition orders to 180 days or the end of the school year, whichever is longer. The bill requires attendance officers to apply "truancy prevention measures" established by the district before filing a complaint or making a referral to juvenile court.

The bill requires dismissal a complaint or expunging a record if the person successfully complies with conditions imposed by the court or obtains a high school diploma or high school equivalency certificate. The expunction requirement applies if the conditions are met before the person reaches age 21.

The bill allows collection of the court juvenile case manager fee only by courts actually served by a juvenile case manager.

Change from current law: Class C misdemeanors are one of the categories of offenses for which persons younger than 15 may be prosecuted. This bill establishes a minimum age of 12 for prosecution for the offense of Failure to Attend School. Children ages 10 and 11 would remain subject to Juvenile Court jurisdiction as children in need of supervision due to unexcused absences.

Students 18 and older but under the age of 21 are currently subject to prosecution for the failure to attend school if the student is subject to a school district policy adopted under Section 25.085(f). The bill does not amend or repeal Section 25.085(f), but nullifies its effect by amending Section 25.094 to limit application of the offense to persons under age 18. A district retains the authority to revoke the enrollment of a person age 18 or older who has 5 or more unexcused absences in a semester pursuant to Section 25.085(e).

SB 1543 Author: Wentworth

Statute Amended or Added: Adds Section 2256.0204, Government Code.

Summary: This bill adds a new provision allowing school districts with an average daily attendance of at least 50,000 to invest funds in corporate bonds as long as those investments meet certain guidelines. It requires the investments have a nationally recognized investments rating firm "AA-" or the equivalent and have a stated final maturity that is not later than the third anniversary of the date the corporate bonds were purchased.

An independent school district is not authorized to invest in the aggregate more than 15 percent of its monthly average fund balance or invest more than 25 percent of the funds invested in corporate bonds in any one domestic business entity, including subsidiaries and affiliates of the entity; or invest any portion of bond proceeds, reserves, and other funds held for the payment of debt service in corporate bonds.

It states an independent school district may purchase, sell, and invest its funds and funds under its control in corporate bonds if the governing body of the district amends its investment policy to authorize corporate bonds as an eligible investment and adopts procedures to provide for monitoring rating changes and liquidating the investment in corporate bonds and identifies the funds other than bond proceeds, reserves, and other funds held for the payment of debt serviced, eligible to be invested in corporate bonds.

The bill also states that corporate bonds are not eligible investments for a public funds investment pool.

Change from current law: Currently school districts must follow the Public Funds Investment Act under Government Code 2256 and can only invest in investments authorized by this act. If an investment is not authorized under the Act school districts may not invest its public funds with this investment instrument. Corporate bonds and debentures are currently not eligible investments for school districts.

SB 1557 Author: Carona

Statute Impacted: Adds Section 7.0561, Education Code

Summary: This bill creates the Texas High Performance Schools Consortium to advise state leadership on best practices for improving student learning through the development of learning standards and assessment and

accountability systems. School districts and charter schools may apply to the commissioner of education to participate, and up to 20 may be selected. This bill allows the commissioner to charge a fee to participating school districts and charter school to fund administrative costs of the consortium.

Change for current law: Not applicable

SB 1610 **Author: Lucio**

Statute Impacted: Amends Section 547.701, Transportation Code

Summary: This bill requires district to equip school buses with a three point seat belt for each passenger, including the operator, only to the extent the Legislature has appropriated money for the purpose of reimbursing school districts for expenses incurred in complying with the requirement. No funds were appropriated for the biennium beginning September 1, 2011.

SB 1619 **Author: Duncan**

Statute Impacted: Amends Sections 28.009 and 42.005, Education Code

Summary: The bill extends the application of the provision stating that a district is not required to pay a student's tuition or other associated costs for taking a course through the college credit program until September 1, 2013. This provision was set to expire September 1, 2011. It allows the district to count students in attendance for state funding purposes until September 1, 2013.

Change from current law: These provisions were set to expire on September 1, 2011.

SB 1620 **Author: Duncan**

Statute Impacted: Amends Sections 21.044 and 28.025; Adds Sections 28.027 and 61.0517, Education Code

Summary: This legislation requires the State Board for Educator Certification (SBEC) to specify certification requirements for individuals to teach applied STEM courses. These requirements must include the passage of the certification test administered by the recognized national or international business and industry group that created the curriculum the applied STEM course is based on and must have at a minimum an association degree from an accredited institution of higher education and three years of work experience in an occupation for which the applied STEM course is intended to prepare the student. This legislation requires the State Board of Education (SBOE) to establish a process under which applied STEM courses are reviewed for approval as options to satisfy a fourth mathematics credit if the course is taken after Algebra I and geometry and concurrently with or after Algebra II. The legislation also requires the SBOE to establish a process under which applied STEM courses are reviewed for approval as options to satisfy a fourth science credit if the course is taken after biology and chemistry and concurrently with or after physics. Applied STEM courses must be offered as part of a school district's CTE curriculum in order to be eligible for consideration.

This legislation requires the Texas Higher Education Coordinating Board (THECB) to work with institutions of higher education to ensure that credit for an applied STEM course may be applied to relevant degree programs offered by institutions of higher education in Texas. THECB is also required to include applied STEM courses in its review of courses considered for approval for offer by public junior colleges or public technical institutes.

Change from current law: Current law does not currently include specific requirements for certification to teach applied STEM courses. This legislation adds specific certification requirements.

SB 1788 **Author: Patrick, Dan**

Statute Impacted: Amends Section 29.005; Adds Section 29.0051 and 29.0111, Education Code

Summary: This bill requires TEA to develop a model form which shall be available on the TEA website that includes required information addressed in the federal model forms, state imposed requirements, and the state rules not required by Individuals with Disabilities Education Act (IDEA). Districts and charter schools are not required to use the model forms; however, may include on their forms only information outlined in the model form.

State required special education transition planning must begin for a student not later than when the student reaches 14 years of age.

Change from current law: Model Forms—Not Applicable

Section 29.0111 is added, which starts state transition planning for a student not later than 14 years of age.

Currently, federal regulation, and 19 TAC §89.1055(g) has transition "beginning at age 16 (prior to the date on which a student turns 16 years of age) or younger, if determined appropriate by the ARD committee..."

Legislation Not Passed – 82nd Legislative Session

HB 6 Eissler Relating to the foundation curriculum, the establishment of the instructional materials allotment, and the adoption, review, and purchase of instructional materials and technological equipment for public schools.
Last Action: 5-29-11 S Senate adopted conference report (Vote: Y: 31/N: 0)

HB 18 Riddle Relating to the enforcement by certain governmental entities of laws governing immigration.
Last Action: 3- 2-11 H Committee action pending House State Affairs

HB 21 Riddle Relating to reporting by state agencies on the financial effect of providing services to illegal immigrants.
Last Action: 4-28-11 H Committee action pending House Appropriations

HB 22 Riddle Relating to information regarding the citizenship and immigration status of public school students.
Last Action: 2- 9-11 H Introduced and referred to committee on House State Affairs

HB 23 Riddle Relating to a local option election in a county to set a limit on the maximum appraised value of a residence homestead for ad valorem tax purposes of less than 110 percent but not less than 103 percent of appraised value.
Last Action: 2- 9-11 H Introduced and referred to committee on House Ways and Means

HB 24 Guillen Relating to placement of a student in a disciplinary alternative education program for bullying or cyber-bullying.
Last Action: 3-29-11 H Committee action pending House Public Education

HB 26 Guillen Relating to a freeze on the total amount of ad valorem taxes that may be imposed by a taxing unit on the residence homestead of an eligible person who is a member of a reserve component of the United States armed forces.
Last Action: 2- 9-11 H Introduced and referred to committee on House Ways and Means

HB 29 Guillen Relating to considering the assessment instrument results of certain students in evaluating school district and campus performance.
Last Action: 4-13-11 H Committee action pending House State Affairs

HB 52 Lucio III Relating to physical examination requirements for participation in certain University Interscholastic League extracurricular athletic activities.
Last Action: 2- 9-11 H Introduced and referred to committee on House Public Education

HB 56 Martinez Relating to increasing the amount of the residence homestead exemption from ad valorem taxation by a school district from \$15,000 to \$45,000.
Last Action: 2- 9-11 H Introduced and referred to committee on House Ways and Means

HB 61 Martinez Relating to the salary paid to certain professional employees of public schools.
Last Action: 2- 9-11 H Introduced and referred to committee on House Public Education

HB 62 Martinez Relating to the salary paid to certain professional employees of public schools.
Last Action: 2- 9-11 H Introduced and referred to committee on House Public Education

HB 63 Martinez Relating to the authority of certain school districts to lay in county rights-of-way fiber optic cable or other means of transmitting information.
Last Action: 3-30-11 H Committee action pending House Transportation

HB 73 Martinez Relating to the dissemination of criminal history record information to state agencies for employment or contracting purposes.
Last Action: 3- 2-11 H Committee action pending House State Affairs

HB 79 Flynn Relating to the posting of the Ten Commandments in public school classrooms.
Last Action: 2- 9-11 H Introduced and referred to committee on House Public Education

HB 81 Flynn Relating to the use of public funds to print certain public documents in a language other than English and other bilingual requirements.
Last Action: 2- 9-11 H Introduced and referred to committee on House State Affairs

HB 104 Brown, Fred Relating to abolishing the Texas Higher Education Coordinating Board and transferring the coordinating board's functions and activities and the State Board of Education's statutorily assigned functions to the Texas Education Agency
Last Action: 2- 9-11 H Introduced and referred to committee on House Higher Education

HB 106 Brown, Fred Relating to the consolidation of, or detachment and annexation of territory in, certain school districts.
Last Action: 2- 9-11 H Introduced and referred to committee on House Public Education

HB 110 Brown, Fred Relating to the use of safety guards or flaps on certain buses.
Last Action: 2-23-11 H Committee action pending House Transportation

HB 111 Relating to the adoption of voting procedures necessary to implement the federal Military and Overseas Voter Empowerment Act.
Last Action: 4- 7-11 H Committee action pending House Defense and Veteran's Affairs

HB 127 Alvarado Relating to the types of beverages that may be sold to students on public school campuses.
Last Action: 5-19-11 S Committee action pending Senate Education

HB 130 Alvarado Relating to the creation of an anti-bullying hotline.
Last Action: 3- 1-11 H Committee action pending House Human Services

HB 133 Villarreal Relating to a full-day prekindergarten program provided by public school districts.
Last Action: 2-11-11 H Introduced and referred to committee on House Public Education

HB 135 Villarreal Relating to field experience requirements for educator certification.
Last Action: 5-12-11 H Set on the House Calendar

HB 140 Laubenberg Relating to requiring state contractors and grant recipients to participate in the federal electronic verification of work authorization program, or E-verify; adding a civil penalty.
Last Action: 2-11-11 H Introduced and referred to committee on House State Affairs

HB 155 Raymond Relating to the instruction of American Sign Language in public high schools.
Last Action: 2-11-11 H Introduced and referred to committee on House Public Education

HB 169 Raymond Relating to placement of public school students in Junior Reserve Officers' Training Corps programs as an alternative in certain circumstances to placement in disciplinary or juvenile justice alternative education programs.
Last Action: 2-11-11 H Introduced and referred to committee on House Public Education

HB 170 Raymond Relating to bullying as a ground for removing a public school student from class and placing the student in a disciplinary alternative education program.
Last Action: 3-29-11 H Committee action pending House Public Education

HB 178 Jackson, Jim Relating to requiring governmental entities to participate in the federal electronic verification of work authorization program or E-verify.
Last Action: 4-13-11 H Committee action pending House State Affairs

HB 195 Walle Relating to disciplinary action taken against public school students on the basis of serious and persistent misbehavior.

Last Action: 2-11-11 H Introduced and referred to committee on House Public Education

HB 196 Walle Relating to requiring certain students leaving public school to provide documentation necessary to ensure an accurate calculation of dropout rates.

Last Action: 2-11-11 H Introduced and referred to committee on House Public Education

HB 197 Solomons Relating to the provision of certain documentation before a person may engage in a licensed occupation.

Last Action: 5-16-11 S Referred to Senate Committee on Senate Transportation and Homeland Security

HB 224 Strama Relating to bullying, including cyberbullying, in public schools.

Last Action: 3- 1-11 H Committee action pending House Public Education

HB 233 Hochberg Relating to requirements for students to be assessed in certain subjects and in certain grades.

Last Action: 3- 1-11 H Committee action pending House Public Education

HB 235 Aycock Relating to the first day of instruction for a school year in school districts in which a certain percentage of the students are military dependents.

Last Action: 2-15-11 H Introduced and referred to committee on House Public Education

HB 271 Johnson Relating to a study on effective methods for high school dropout prevention.

Last Action: 3-18-11 H Introduced and referred to committee on House Public Education

HB 280 Alvarado Relating to requiring a health credit for high school graduation.

Last Action: 2-15-11 H Introduced and referred to committee on House Public Education

HB 281 Alvarado Relating to physical education credits required for high school graduation.

Last Action: 2-15-11 H Introduced and referred to committee on House Public Education

HB 284 Lucio III Relating to the use of public school counselors' work time.

Last Action: 2-15-11 H Introduced and referred to committee on House Public Education

HB 285 Lucio III Relating to the employment of certified counselors by school districts.

Last Action: 2-15-11 H Introduced and referred to committee on House Public Education

HB 286 Lucio III Relating to the care of elementary and secondary school students with food or other life-threatening allergies.

Last Action: 2-15-11 H Introduced and referred to committee on House Public Education

HB 291 Jackson, Jim Relating to requiring a public hearing in the geographical area proposed for an open-enrollment charter school.

Last Action: 3-28-11 H Reported favorably from committee on House Public Education

HB 299 Berman Relating to the repeal of the driver responsibility program.

Last Action: 3-22-11 H Not heard in committee House Homeland Security and Public Safety

HB 324 Johnson Relating to a study of and report on public and private after-school programs.

Last Action: 2-15-11 H Introduced and referred to committee on House Public Education

HB 348 Walle Relating to education and training for school district peace officers, school resource officers, and school security personnel employed by a school district.

Last Action: 4-13-11 H Reported from committee as substituted House Homeland Security and Public Safety

HB 349 Walle Relating to requiring a school district to adopt a policy and collect data regarding restraints

administered and citations issued by a school district peace officer.
Last Action: 4-19-11 H Committee action pending House Public Education

HB 357 Rodriguez Relating to transition and employment services for public school students enrolled in special education programs.
Last Action: 4-26-11 H Reported from committee as substituted House Public Education

HB 370 Hochberg Relating to the eligibility of a student to participate in extracurricular activities or competitions after transferring or moving from one public school to another.
Last Action: 5-17-11 H Set on the House Items Eligible Calendar

HB 386 Raymond Relating to the instruction of American Sign Language in public high schools.
Last Action: 2-16-11 H Introduced and referred to committee on House Public Education

HB 391 Aycock Relating to termination of a public school teacher's term contract and discharge of the teacher at any time on the basis of a school district's financial exigency.
Last Action: 2-16-11 H Introduced and referred to committee on House Public Education

HB 400 Eissler Relating to flexibility for public schools to administer primary and secondary education efficiently.
Last Action: 5-12-11 H Postponed on second reading until 6:00 p.m., Thursday, May 12, 2011

HB 402 Fletcher Relating to public school students who have dyscalculia.
Last Action: 2-16-11 H Introduced and referred to committee on House Public Education

HB 428 Fletcher Relating to access to campuses of public schools and institutions of higher education by foreign consuls.
Last Action: 3-9-11 H Committee action pending House State Affairs

HB 448 Lucio III Relating to the establishment of a pilot program under which high school students may accrue prepaid tuition units at public institutions of higher education by completing certain community service activities.
Last Action: 2-16-11 H Introduced and referred to committee on House Higher Education

HB 458 Whjte Relating to exempting a school district from the obligation to comply with certain unfunded state educational mandates.
Last Action: 2-17-11 H Introduced and referred to committee on House Public Education

HB 485 Dutton Relating to public school disciplinary procedures and the evaluation of disciplinary alternative education programs.
Last Action: 3-29-11 H Committee action pending House Public Education

HB 492 Dutton Relating to procedures for management of certain public school campuses and school districts that do not satisfy certain performance standards.
Last Action: 2-17-11 H Introduced and referred to committee on House Public Education

HB 493 Dutton Relating to evaluation under the public school accountability system of the delivery of library resources.
Last Action: 2-17-11 H Introduced and referred to committee on House Public Education

HB 497 Dutton Relating to competitive bidding by school districts for professional services.
Last Action: 2-17-11 H Introduced and referred to committee on House Public Education

HB 500 Eissler Relating to end-of-course assessment instruments administered to public high school students.
Last Action: 5-17-11 S Committee action pending Senate Education

HB 511 Dutton Relating to the closure of a school campus by the board of trustees of a school district.

Last Action: 4-19-11 H Committee action pending House Public Education

HB 514 Dutton Relating to the receipt of an exemption or waiver for a school district or campus that is academically unacceptable.

Last Action: 2-17-11 H Introduced and referred to committee on House Public Education

HB 516 Dutton Relating to the closure of a school campus by the board of trustees of certain school districts.

Last Action: 4-19-11 H Committee action pending House Public Education

HB 551 Christian Relating to the eligibility of members of the State Board of Education to participate in a state employees group benefits program.

Last Action: 3- 8-11 H Committee action pending House Pensions/Investments/Financial Services

HB 553 Howard, Donna Relating to the nonpartisan election of members to the State Board of Education.

Last Action: 2-18-11 H Introduced and referred to committee on House Elections

HB 560 Christian Relating to electronic textbooks, state-developed open-source textbooks, and other instructional materials for public schools.

Last Action: 2-18-11 H Introduced and referred to committee on House Public Education

HB 562 Berman Relating to the development of juvenile justice alternative education programs in counties with a population greater than 125,000.

Last Action: 3-29-11 H Committee action pending House Public Education

HB 567 Guillen Relating to authorizing justice, municipal, and juvenile courts to obtain evidence that certain minors are in compliance with mandatory school attendance requirements and suspend driver's licenses or permits for failure to comply.

Last Action: 3- 9-11 H Committee action pending House Corrections

HB 584 Kleinschmidt Relating to storage of electronic fingerprint records and access to criminal history record information.

Last Action: 4-20-11 H Reported favorably from committee on House Homeland Security and Public Safety

HB 608 Zerwas Relating to state agency reports on the cost of services and benefits provided to undocumented immigrants.

Last Action: 5-12-11 H Bill pronounced dead by procedural action

HB 619 Dutton Relating to the provision of courses in behavioral modification by disciplinary alternative education programs and juvenile justice alternative education programs.

Last Action: 2-18-11 H Introduced and referred to committee on House Public Education

HB 622 Hochberg Relating to disciplinary action taken against certain public school students on the basis of serious and persistent misbehavior.

Last Action: 4-18-11 H Reported from committee as substituted House Public Education

HB 642 Rodriguez Relating to free breakfast for certain public school students.

Last Action: 2-21-11 H Introduced and referred to committee on House Public Education

HB 677 Lucio III Relating to cognitive-linguistic assessments of participants in extracurricular athletic activities sponsored or sanctioned by the University Interscholastic League.

Last Action: 5-16-11 S Referred to Senate Committee on Senate Education

HB 678 Lucio III Relating to coordination between school districts and other governmental agencies regarding necessary transportation infrastructure improvements associated with real property.

Last Action: 2-21-11 H Introduced and referred to committee on House Public Education

HB 698 Huberty Relating to the carrying of concealed handguns by certain persons attending a school board meeting.
Last Action: 4- 8-11 H Reported favorably from committee on House Homeland Security and Public Safety

HB 711 Walle Relating to a study and report by the Texas Education Agency regarding certain public school disciplinary placements.
Last Action: 2-21-11 H Introduced and referred to committee on House Public Education

HB 732 Hopson Relating to increasing the amount of the residence homestead exemption from ad valorem taxation by a school district from \$15,000 to \$30,000, providing for a reduction of the limitation on the total amount of ad valorem taxes.
Last Action: 2-22-11 H Introduced and referred to committee on House Ways and Means

HB 733 Patrick, Diane Relating to the number of charters the State Board of Education may grant for open-enrollment charter schools.
Last Action: 2-22-11 H Introduced and referred to committee on House Public Education

HB 761 Lozano Relating to the availability of free prekindergarten programs in public schools.
Last Action: 2-22-11 H Introduced and referred to committee on House Public Education

HB 775 Anchia Relating to the adoption of energy efficiency, conservation, and indoor air quality standards for the design, construction, and renovation of public school instructional facilities.
Last Action: 3-16-11 H Committee action pending House Energy Resources

HB 780 King, Phil Relating to the abolition of school district maintenance and operations ad valorem taxes.
Last Action: 2-23-11 H Introduced and referred to committee on House Ways and Means

HB 791 Lewis Relating to prohibiting certain contracts for investment services for state funds.
Last Action: 2-23-11 H Introduced and referred to committee on House Pensions/Investments/Financial Services

HB 818 Howard, Donna Relating to use of compensatory education allotment funding to provide assistance with child care to students at risk of dropping out of school.
Last Action: 5- 9-11 S Referred to Senate Committee on Senate Education

HB 827 Farias Relating to requirements for certain human sexuality instruction presentations in public schools.
Last Action: 2-23-11 H Introduced and referred to committee on House Public Education

HB 828 Farias Relating to notice to parents of public school students regarding human sexuality instruction.
Last Action: 2-23-11 H Introduced and referred to committee on House Public Education

HB 829 Farias Relating to including in local school health advisory council reports to school district boards of trustees explanations of campus compliance with the requirement for setting, in campus improvement plans, goals and objectives for c
Last Action: 2-23-11 H Introduced and referred to committee on House Public Education

HB 839 Elkins Relating to treatment under the public school finance system of school district revenue resulting from reduction or elimination of an optional homestead exemption.
Last Action: 4- 5-11 H Committee action pending House Public Education

HB 845 Murphy Relating to the computation of public high school grade point averages.
Last Action: 2-24-11 H Introduced and referred to committee on House Public Education

HB 860 Patrick, Diane Relating to the categories of performance for which a public school campus may receive a distinction designation.
Last Action: 2-24-11 H Introduced and referred to committee on House Public Education

HB 862 Patrick, Diane Relating to placing the State Board of Education and the State Board for Educator Certification under periodic review by the Sunset Advisory Commission.
Last Action: 3-29-11 H Committee action pending House Public Education

HB 876 Howard, Charlie Relating to the filing of personal financial disclosure statements by municipal officers and candidates, members of the boards of trustees of school districts, and directors of sports and community venue districts.
Last Action: 2-24-11 H Introduced and referred to committee on House Elections

HB 881 Alonzo Relating to abolishing the State Board of Education and transferring the functions of the board to the Texas Education Agency and the commissioner of education.
Last Action: 2-24-11 H Introduced and referred to committee on House Public Education

HB 914 Hancock Relating to the applicability of certain laws to open-enrollment charter schools.
Last Action: 4-26-11 H Reported from committee as substituted House Public Education

HB 916 Allen Relating to corporal punishment in public schools.
Last Action: 3-15-11 H Committee action pending House Public Education

HB 920 Allen Relating to educational involvement agreements setting forth the respective responsibilities of students, parents, teachers, and principals in public schools.
Last Action: 2-24-11 H Introduced and referred to committee on House Public Education

HB 936 Harless Relating to the establishment, operation, and funding of open-enrollment charter schools.
Last Action: 3-22-11 H Committee action pending House Public Education

HB 940 Dukes Relating to persons subject to prosecution for improper relationship between educator and student.
Last Action: 5-16-11 S Referred to Senate Committee on Senate Criminal Justice

HB 941 Dukes Relating to use of compensatory education allotment funding to provide assistance with child care to students at risk of dropping out of school.
Last Action: 2-24-11 H Introduced and referred to committee on House Public Education

HB 947 Lozano Relating to a pilot program to expand access to career and technical education partnerships in rural areas.
Last Action: 3- 8-11 H Committee action pending House Agriculture and Livestock

HB 978 Villarreal Relating to local control over reforming school board governance of academically unacceptable school districts of a certain size.
Last Action: 2-28-11 H Introduced and referred to committee on House Public Education

HB 980 Walle Relating to the basis for apportioning annual per capita payments from the available school fund.
Last Action: 2-28-11 H Introduced and referred to committee on House Public Education

HB 1002 Guillen Relating to allocation of state and federal funds for adult basic education.
Last Action: 2-28-11 H Introduced and referred to committee on House Public Education

HB 1016 Castro Relating to a requirement that public school counselors demonstrate knowledge of counseling regarding higher education to obtain a school counselor certificate.
Last Action: 3-29-11 H Committee action pending House Public Education

HB 1017 Castro Relating to a notification requirement if a counselor is not assigned to a public school campus.
Last Action: 2-28-11 H Introduced and referred to committee on House Public Education

HB 1018 Castro Relating to a notification requirement if a counselor is not assigned to a public school campus.
Last Action: 2-28-11 H Introduced and referred to committee on House Public Education

HB 1019 Castro Relating to distinct certificate classes for public elementary school counselors and public secondary school counselors.

Last Action: 3-29-11 H Committee action pending House Public Education

HB 1054 Patrick, Diane Relating to continuing education requirements for educators.

Last Action: 5- 5-11 H Voted favorably from committee as substituted House Public Education

HB 1059 Menendez Relating to bullying, including cyberbullying, in public schools.

Last Action: 3-29-11 H Committee action pending House Public Education

HB 1076 Shelton Relating to the student to teacher ratio applicable to accelerated instruction groups for certain public school students.

Last Action: 3-15-11 H Committee action pending House Public Education

HB 1077 Shelton Relating to accelerated instruction for certain public school students.

Last Action: 2-28-11 H Introduced and referred to committee on House Public Education

HB 1082 Vo Relating to authority for certain school districts to provide public notice by posting the notice on the district's Internet website.

Last Action: 2-28-11 H Introduced and referred to committee on House Public Education

HB 1087 Workman Relating to the number of charters the State Board of Education may grant for open-enrollment charter schools.

Last Action: 2-28-11 H Introduced and referred to committee on House Public Education

HB 1093 Farias Relating to reporting individual student performance on a physical fitness assessment instrument to the Texas Education Agency.

Last Action: 2-28-11 H Introduced and referred to committee on House Public Education

HB 1095 Farias Relating to a requirement of a commitment to serve a certain minimum term before a person may be appointed as a member of a local school health advisory council.

Last Action: 5- 4-11 H Failed to pass to third reading (Vote: N: 81/Y: 54)

HB 1097 Farias Relating to including in the annual report of a local school health advisory council to a school district board of trustees information related to funding of programs designed to promote improved student health.

Last Action: 2-28-11 H Introduced and referred to committee on House Public Education

HB 1098 Farias Relating to the number of times each year local school health advisory councils are required to meet.

Last Action: 2-28-11 H Introduced and referred to committee on House Public Education

HB 1104 Paxton Relating to the phasing out of ad valorem taxes on the residence homesteads of elderly persons by 2021.

Last Action: 2-28-11 H Introduced and referred to committee on House Ways and Means

HB 1114 Parker Relating to public school and child-care facility policies addressing sexual abuse and other maltreatment of children.

Last Action: 5- 6-11 H Recommended for Local and Consent Calendar

HB 1117 Callegari Relating to a waiver for certain school districts from first day of instruction requirements.

Last Action: 2-28-11 H Introduced and referred to committee on House Public Education

HB 1134 Kolkhorst Relating to the use of radio frequency identification technology to transmit information regarding public school students.

Last Action: 4-26-11 H Committee action pending House Public Education

HB 1140 Howard, Donna Relating to the creation of the Permanent School Fund Management Council to manage the permanent school fund.

Last Action: 2-28-11 H Introduced and referred to committee on House Public Education

HB 1158 Eissler Relating to additional optional training and course work for public school principals.

Last Action: 4-19-11 H Voted favorably from committee as substituted House Public Education

HB 1159 Eissler Relating to repeal on a periodic basis of the provisions of Titles 1 and 2 of the Education Code to provide for legislative review of the primary state statutes governing public education.

Last Action: 3- 1-11 H Introduced and referred to committee on House Public Education

HB 1171 Shelton Relating to the deadline for providing notice to public school teachers regarding renewal or nonrenewal of term contracts.

Last Action: 3- 1-11 H Introduced and referred to committee on House Public Education

HB 1176 Brown, Fred Relating to the use of motion sensor technology in certain state buildings, public school facilities, and higher education facilities.

Last Action: 3- 1-11 H Introduced and referred to committee on House Energy Resources

HB 1203 Harper-Brown Relating to idling the diesel engine of a school bus while the bus is parked at a public school or in a school crossing zone.

Last Action: 3- 3-11 H Rereferred to Committee on House Transportation

HB 1208 Martinez Fischer Relating to the deadline for providing notice to public school teachers regarding renewal or nonrenewal of term contracts.

Last Action: 3- 1-11 H Introduced and referred to committee on House Public Education

HB 1216 Miles Relating to required attendance at a dropout prevention seminar by a student older than the age of compulsory school attendance who intends to drop out of school.

Last Action: 3- 1-11 H Introduced and referred to committee on House Public Education

HB 1236 Zedler Relating to the availability of certain school district financial information on districts' Internet websites.

Last Action: 3- 1-11 H Introduced and referred to committee on House Public Education

HB 1256 Pickett Relating to consideration of the consolidation of school bus operations in certain counties.

Last Action: 3- 1-11 H Introduced and referred to committee on House Public Education

HB 1268 Murphy Relating to the computation of public high school grade point averages.

Last Action: 5- 9-11 H Reported from committee as substituted House Public Education

HB 1296 Shelton Relating to a public school teacher's entitlement to a certain number of planning and preparation days each school year.

Last Action: 3- 1-11 H Introduced and referred to committee on House Public Education

HB 1304 Bonnen Relating to requirements for a personal financial literacy component in the public high school curriculum.

Last Action: 3- 1-11 H Introduced and referred to committee on House Public Education

HB 1307 Vallarreal Relating to alternative assessment of certain public school students under the public school accountability system.

Last Action: 3- 1-11 H Introduced and referred to committee on House Public Education

HB 1311 Shelton Relating to certain open-enrollment charter schools dedicated to serving certain students at risk of dropping out of school.

Last Action: 4-29-11 H Reported from committee as substituted House Public Education

HB 1312 Castro Relating to the categories of performance for which a public school campus may receive a distinction designation.

Last Action: 3- 1-11 H Introduced and referred to committee on House Public Education

HB 1326 Guillen Relating to authorization to operate school districts on the basis of a four-day instructional week.

Last Action: 4-29-11 H Reported from committee as substituted House Public Education

HB 1331 Creighton Relating to the availability of certain school district financial information on certain districts' Internet websites.

Last Action: 3- 1-11 H Introduced and referred to committee on House Public Education

HB 1336 Allen Relating to the authority of a school district to implement a school bus monitoring system that records images, including images of vehicles that pass a stopped school bus.

Last Action: 5- 7-11 H Reported favorably from committee on House Public Education

HB 1340 Walle Relating to the use of positive behavioral interventions and supports in public schools.

Last Action: 4-19-11 H Committee action pending House Public Education

HB 1348 Marquez Relating to policies, procedures, and training to address bullying of public school students.

Last Action: 3- 1-11 H Introduced and referred to committee on House Public Education

HB 1350 Marquez Relating to authorization for a caregiver who is a relative to enroll a child in school.

Last Action: 3- 1-11 H Introduced and referred to committee on House Judiciary and Civil Jurisprudence

HB 1359 Veasey Relating to authorization for a caregiver who is a relative to enroll a child in school.

Last Action: 5-12-11 S Referred to Senate Committee on Senate Jurisprudence

HB 1367 Hancock Relating to a school district exemption from state requirements, restrictions, and prohibitions.

Last Action: 3- 1-11 H Introduced and referred to committee on House Public Education

HB 1369 Hancock Relating to the establishment of open-enrollment charter schools and of new campuses of existing charter schools.

Last Action: 3- 1-11 H Introduced and referred to committee on House Public Education

HB 1370 Workman Relating to establishment of the Texas Construction Academy as a residential construction training and high school center for certain public high school students and high school graduates.

Last Action: 3- 1-11 H Introduced and referred to committee on House Public Education

HB 1394 Castro Relating to reports concerning the number of full-time librarians, counselors, and school nurses who are employed at a public school.

Last Action: 3- 1-11 H Introduced and referred to committee on House Public Education

HB 1396 Farias Relating to a report required to be submitted by a campus intervention team assigned to a public school campus.

Last Action: 3- 1-11 H Introduced and referred to committee on House Public Education

HB 1398 Farias Relating to federal funding for personal responsibility education programs.

Last Action: 3- 1-11 H Introduced and referred to committee on House Public Education

HB 1423 Garza Relating to restrictions on written information required to be provided by public school teachers and a study by the commissioner of education concerning implementation of the restrictions.

Last Action: 5- 3-11 H Reported from committee as substituted House Government Efficiency and Reform

HB 1437 Eissler Relating to the guarantee of open-enrollment charter school bonds by the permanent school fund.

Last Action: 4-18-11 H Committee action pending House Ways and Means

HB 1462 Huberty Relating to the inclusion of professional staff who educate students with disabilities on district-level and campus-level planning and decision-making committees.
Last Action: 3-28-11 H Recommended for Local and Consent Calendar

HB 1467 Hernandez Luna Relating to bullying and cyberbullying in public schools.
Last Action: 3- 2-11 H Introduced and referred to committee on House Public Education

HB 1485 Patrick, Diane Relating to discounted utility rates for school districts.
Last Action: 3- 2-11 H Introduced and referred to committee on House State Affairs

HB 1497 Howard, Donna Relating to the allocation of certain federal career and technical education funds.
Last Action: 5-12-11 H Failed to pass to third reading (Vote: N: 78/Y: 65)

HB 1505 Munoz Relating to librarians employed by school districts.
Last Action: 4-19-11 H Committee action pending House Public Education

HB 1511 Dutton Relating to a requirement that interviews conducted in connection with school district personnel matters be recorded by a certified shorthand reporter.
Last Action: 4-19-11 H Committee action pending House Public Education

HB 1513 Dutton Relating to hearings on certain public school employee employment decisions before the board of trustees of a school district.
Last Action: 3- 2-11 H Introduced and referred to committee on House Public Education

HB 1516 Isaac Relating to excused absences from public school for the purpose of enlisting in the armed services.
Last Action: 3- 2-11 H Introduced and referred to committee on House Public Education

HB 1531 Ritter Relating to the exemption from ad valorem taxation of real property leased to and used by certain schools.
Last Action: 4- 4-11 H Committee action pending House Ways and Means

HB 1539 Hochberg Relating to state ownership of school textbooks.
Last Action: 3-22-11 H Committee action pending House Public Education

HB 1549 Howard, Charlie Relating to certification and continuing education requirements for certain public education administrators.
Last Action: 3- 2-11 H Introduced and referred to committee on House Public Education

HB 1553 Larson Relating to citizenship information reported by persons, including state agencies, political subdivisions of this state, nonprofit organizations, and public and private entities, who receive local or state money to provide services.
Last Action: 4-13-11 H Committee action pending House State Affairs

HB 1556 Burman Relating to a prohibition on the issuance of a drilling permit for an oil or gas well that is proposed to be located within a specified distance of a public school.
Last Action: 3-16-11 H Committee action pending House Energy Resources

HB 1582 Farias Relating to authorization for the operation in certain counties of an educator preparation program with an internship program component.
Last Action: 3- 3-11 H Introduced and referred to committee on House Public Education

HB 1585 Farias Relating to certain eligibility requirements of the Teach for Texas Loan Repayment Assistance Program.
Last Action: 5- 5-11 H Reported favorably from committee on House Higher Education

HB 1587 Eissler Relating to the evaluation of public school teachers.
Last Action: 3-29-11 H Committee action pending House Public Education

HB 1588 Eissler Relating to the establishment, operation, and funding of open-enrollment charter schools.
Last Action: 3- 3-11 H Introduced and referred to committee on House Public Education

HB 1589 Eissler Relating to the study of productivity and cost-effectiveness in public education.
Last Action: 3-15-11 H Committee action pending House Public Education

HB 1603 Zedler Relating to the number of charters the State Board of Education may grant for open-enrollment charter schools.
Last Action: 3-22-11 H Committee action pending House Public Education

HB 1609 Gonzales, Larry Relating to the repeal of the driver responsibility program.
Last Action: 3- 3-11 H Introduced and referred to committee on House Homeland Security and Public Safety

HB 1611 Gonzales, Larry Relating to notice of contract renewal or nonrenewal provided by a school district to teachers employed under a term contract.
Last Action: 3- 3-11 H Introduced and referred to committee on House Public Education

HB 1620 Menendez Relating to the deadline for providing notice to public school teachers regarding renewal or nonrenewal of term contracts.
Last Action: 3- 3-11 H Introduced and referred to committee on House Public Education

HB 1624 Castro Relating to health education curriculum and instruction in public schools.
Last Action: 3- 3-11 H Introduced and referred to committee on House Public Education

HB 1632 Gonzales, Larry Relating to the dates by which public school teachers must provide notification of resignation from employment.
Last Action: 3-15-11 H Committee action pending House Public Education

HB 1668 Harper-Brown Relating to authority for school districts to provide public notice by posting the notice on the district's Internet website.
Last Action: 3- 3-11 H Introduced and referred to committee on House Public Education

HB 1695 Zedler Relating to the deadline for providing notice to public school teachers regarding renewal or nonrenewal of term contracts and termination of probationary contracts.
Last Action: 3- 3-11 H Introduced and referred to committee on House Public Education

HB 1702 Martinez-Fischer Relating to reporting donations received by a school district and public school campus.
Last Action: 4-12-11 H Committee action pending House Public Education

HB 1703 Martinez-Fischer Relating to the schedule for administration of state-administered assessment instruments in public schools.
Last Action: 4-13-11 S Referred to Senate Committee on Senate Education

HB 1704 Martinez-Fischer Relating to a pilot project to assess public school students by alternative methods.
Last Action: 3- 3-11 H Introduced and referred to committee on House Public Education

HB 1705 Martinez-Fischer Relating to providing a parent of a public school student with notice of student performance in the parent's native language.
Last Action: 4-12-11 H Committee action pending House Public Education

HB 1740 Walle Relating to providing information to parents regarding changes in state law affecting public school students.
Last Action: 3- 3-11 H Introduced and referred to committee on House Public Education

HB 1741 Walle Relating to a parental involvement pilot program in certain school districts.
Last Action: 3- 3-11 H Introduced and referred to committee on House Public Education

HB 1786 Farias Relating to the availability of certain information concerning dropout prevention on a district's Internet website.
Last Action: 3- 3-11 H Introduced and referred to committee on House Public Education

HB 1805 Huberty Relating to a public school student's eligibility for a public education grant to attend another public school.
Last Action: 5- 5-11 S Referred to Senate Committee on Senate Education

HB 1810 Burnam Relating to the repeal of the driver responsibility program and to the replacement of the revenue derived from the driver responsibility program through an increase in the tax on cigarettes.
Last Action: 3-22-11 H Committee action pending House Homeland Security and Public Safety

HB 1831 Hartnett Relating to public school child care.
Last Action: 4-19-11 H Committee action pending House Public Education

HB 1833 Shelton Relating to notice requirements for certain hearings and meetings of the board of trustees of a school district.
Last Action: 3-15-11 H Committee action pending House Public Education

HB 1834 Shelton Relating to elimination of certain requirements for increasing community awareness of prekindergarten programs offered by or in partnership with school districts.
Last Action: 5-19-11 S Not heard in committee Senate Education

HB 1846 Guillen Relating to state interventions and sanctions under the public school accountability system.
Last Action: 3- 3-11 H Introduced and referred to committee on House Public Education

HB 1848 Farrar Relating to the use of environmentally sensitive cleaning products in primary and secondary schools.
Last Action: 3- 3-11 H Introduced and referred to committee on House Public Education

HB 1855 Howard, Donna Relating to a study regarding school district practices in selecting sites for new school campuses.
Last Action: 3- 7-11 H Introduced and referred to committee on House Public Education

HB 1880 Madden Relating to a limitation on the appraised value for ad valorem tax purposes of certain residence homesteads of certain veterans.
Last Action: 5- 2-11 H Committee action pending House Ways and Means

HB 1905 Perry Relating to public school textbooks for career and technology education.
Last Action: 3- 7-11 H Introduced and referred to committee on House Public Education

HB 1922 Zedler Relating to a temporary exemption for school districts from the obligation to comply with certain unfunded state educational mandates.
Last Action: 3- 7-11 H Introduced and referred to committee on House Public Education

HB 2003 Price Relating to safety measures for certain public and private school extracurricular activities.
Last Action: 3- 7-11 H Introduced and referred to committee on House Public Education

HB 2020 McClendon Relating to state aid for certain juvenile justice alternative education programs that enter into certain revenue sharing agreements.
Last Action: 4-21-11 H Committee action pending House Appropriations

HB 2117 Coleman Relating to a notification requirement if a public school campus or open-enrollment charter school does not have a nurse assigned to the campus during all instructional hours.
Last Action: 3- 8-11 H Introduced and referred to committee on House Public Education

HB 2121 Lozano Relating to educator retention at certain public schools.
Last Action: 3- 8-11 H Introduced and referred to committee on House Public Education

HB 2123 Lozano Relating to the eligibility of students to have costs of college advanced placement tests paid under agreements between the commissioner of education and the College Board and Educational Testing Service.
Last Action: 3- 8-11 H Introduced and referred to committee on House Public Education

HB 2137 Guillen Relating to the issuance of exempt license plates to certain open-enrollment charter school vehicles.
Last Action: 4-20-11 H Committee action pending House Transportation

HB 2140 Guillen Relating to the days a state assessment instrument may be administered.
Last Action: 3- 8-11 H Introduced and referred to committee on House Public Education

HB 2158 Coleman Relating to a prohibition against the use of a stun gun or taser by school district peace officers, security personnel, and other employees against certain public school students.
Last Action: 3-29-11 H Committee action pending House Public Education

HB 2168 Aycock Relating to limitations on issuance by school districts of tax-supported bonds.
Last Action: 3- 8-11 H Introduced and referred to committee on House Public Education

HB 2188 Elkins Relating to using Foundation School Program funding to implement the Texas School Ready Program at certain providers of private prekindergarten programs.
Last Action: 4-19-11 H Committee action pending House Public Education

HB 2202 Miles Relating to public school class sizes.
Last Action: 3-10-11 H Introduced and referred to committee on House Public Education

HB 2211 Farias Relating to the availability of individual student performance on a physical fitness assessment instrument.
Last Action: 3-10-11 H Introduced and referred to committee on House Public Education

HB 2217 Martinez-Fischer Relating to the essential knowledge and skills of the social studies curriculum used in the public schools.
Last Action: 3-10-11 H Introduced and referred to committee on House Public Education

HB 2219 Davis, Yvonne Relating to a prohibition placed on an open-enrollment charter school against the employment of a person determined under certain circumstances to have engaged in misconduct that presents a risk to the health, of a minor.
Last Action: 3-10-11 H Introduced and referred to committee on House Public Education

HB 2233 Huberty Relating to certain contracts entered into by school districts for another entity to provide food services at one or more district schools.
Last Action: 5-13-11 S Referred to Senate Committee on Senate Education

HB 2234 Huberty Relating to the term of probationary contracts for certain public school teachers.
Last Action: 3-10-11 H Introduced and referred to committee on House Public Education

HB 2235 Huberty Relating to determination of good cause to suspend a teacher without pay or terminate a teacher's probationary, continuing, or term contract.
Last Action: 3-10-11 H Introduced and referred to committee on House Public Education

HB 2236 Huberty Relating to notice concerning termination, renewal, nonrenewal, and other action regarding certain teacher contracts.

Last Action: 3-10-11 H Introduced and referred to committee on House Public Education

HB 2263 Dutton Relating to requirements for the conduct of Texas Education Agency special education due process hearings.

Last Action: 3-10-11 H Introduced and referred to committee on House Public Education

HB 2302 Coleman Relating to transferring to the Texas Education Agency and the commissioner of education the statutorily assigned responsibilities of the State Board of Education concerning textbooks.

Last Action: 3-10-11 H Introduced and referred to committee on House Public Education

HB 2322 Garza Relating to equal opportunity for access by private and parochial school students to University Interscholastic League sponsored activities.

Last Action: 5- 9-11 H Reported favorably from committee on House Public Education

HB 2332 King, Phil Relating to an exemption from ad valorem taxation by a school district for maintenance and operations purposes of the appraised value of a residence homestead and the offsetting of the resulting revenue loss to school districts.

Last Action: 3-10-11 H Introduced and referred to committee on House Ways and Means

HB 2343 Coleman Relating to the creation of Asher's Law, the public health threat presented by youth suicide and to the prevention of associated discrimination, harassment, bullying, and cyberbullying.

Last Action: 3-10-11 H Introduced and referred to committee on House Public Health

HB 2362 Flynn Relating to inclusion of a course on the United States Constitution in the curriculum requirements for public high school students.

Last Action: 3-10-11 H Introduced and referred to committee on House Public Education

HB 2378 Gonzales, Larry Relating to authorization for the appraisal of certain public school administrators by educators supervised by the administrators.

Last Action: 3-29-11 H Committee action pending House Public Education

HB 2395 Weber Relating to the implementation of the administration of certain assessment instruments for public school students.

Last Action: 3-10-11 H Introduced and referred to committee on House Public Education

HB 2402 Chisum Relating to the provision of and parental approval for a student's participation in human sexuality instruction in public schools.

Last Action: 3-10-11 H Introduced and referred to committee on House Public Education

HB 2407 Darby Relating to the designation of the San Angelo State Supported Living Center as a forensic state supported living center.

Last Action: 4-26-11 H Committee action pending House Human Services

HB 2415 Garza Relating to the liability of a school district that allows the use of land and facilities that the school district owns, occupies, or leases for recreational or educational purposes.

Last Action: 4-28-11 H Committee action pending House Judiciary and Civil Jurisprudence

HB 2444 White Relating to public school finance.

Last Action: 4- 5-11 H Committee action pending House Public Education

HB 2464 Frullo Relating to textbooks adopted by the State Board of Education for public schools.

Last Action: 3-14-11 H Introduced and referred to committee on House Public Education

HB 2473 Marquez Relating to the closure of a school campus by the board of trustees of a school district.

Last Action: 3-14-11 H Introduced and referred to committee on House Public Education

HB 2484 Hochberg Relating to the state property tax compression percentage and the homestead property tax exemption under the public school finance system.

Last Action: 4- 5-11 H Committee action pending House Public Education

HB 2485 Hochberg Relating to public school finance.

Last Action: 5- 2-11 H Reported from committee as substituted House Public Education

HB 2491 Flynn Relating to a moratorium on certain testing and assessments of certain public school students under the public school accountability system.

Last Action: 4-12-11 H Committee action pending House Public Education

HB 2506 Chisum Relating to creating defined contribution retirement plans for persons eligible to participate in the Employees Retirement System of Texas and the Teacher Retirement System of Texas.

Last Action: 4-26-11 H Committee action pending House Pensions/Investments/Financial Services

HB 2509 Huberty Relating to the implementation of the administration of end-of-course assessment instruments for high school courses in public schools.

Last Action: 3-14-11 H Introduced and referred to committee on House Public Education

HB 2513 Dutton Relating to developing a list of preferred vendors that provide support to open-enrollment charter schools in using the Public Education Information Management System.

Last Action: 3-14-11 H Introduced and referred to committee on House Public Education

HB 2514 Callegari Relating to state administration of assessment instruments to public school students.

Last Action: 3-16-11 H Introduced and referred to committee on House Public Education

HB 2517 Villarreal Relating to eligibility for state credits for college tuition and fees for public high school students who receive diplomas by demonstrating early readiness for college.

Last Action: 5- 4-11 H Meeting set for 8:30 a.m., E1.014, House Higher Education

HB 2535 Castro Relating to a requirement that middle, junior high, and high school and higher education students wear reflective clothing or gear while participating in nighttime athletic events or activities.

Last Action: 3-24-11 H Committee action pending House Government Efficiency and Reform

HB 2539 Weber Relating to the authority of school districts to suspend teachers without pay pending discharge.

Last Action: 3-22-11 H Committee action pending House Public Education

HB 2540 Weber Relating to the right to a hearing before an independent hearing examiner of a public school teacher suspended without pay.

Last Action: 3-22-11 H Committee action pending House Public Education

HB 2562 Christian Relating to the absence of a student from school to visit with a parent or guardian who will be or has been deployed on military duty.

Last Action: 3-15-11 H Introduced and referred to committee on House Public Education

HB 2564 Christian Relating to academic requirements for issuance of an instruction permit by the Department of Public Safety or a driver education school.

Last Action: 3-15-11 H Introduced and referred to committee on House Homeland Security and Public Safety

HB 2572 Aycock Relating to the public school finance system.

Last Action: 3-15-11 H Introduced and referred to committee on House Public Education

HB 2578 Davis, John Relating to the preparation of economic impact statements for legislative measures.

Last Action: 4-28-11 H Reported from committee as substituted House State Affairs

HB 2607 Beck Relating to a temporary exemption from ad valorem taxation of the residence homestead of the surviving spouse of a firefighter or peace officer killed while performing official duties.
Last Action: 3-15-11 H Introduced and referred to committee on House Ways and Means

HB 2627 Branch Relating to the purchase of classroom sets of textbooks for public schools.
Last Action: 3-15-11 H Introduced and referred to committee on House Public Education

HB 2646 Orr Relating to distribution by the School Land Board of revenue derived from permanent school fund land or other properties to the available school fund.
Last Action: 4-29-11 H Reported favorably from committee on House Appropriations

HB 2700 Eiland Relating to an allotment under the public school finance system for the cost of windstorm and hail insurance.
Last Action: 4-19-11 H Committee action pending House Insurance

HB 2704 Sheffield Relating to a parent's right to object to physical fitness assessment of the parent's child by a school district.
Last Action: 5-10-11 S Referred to Senate Committee on Senate Education

HB 2721 Eissler Relating to the public school finance system.
Last Action: 3-16-11 H Introduced and referred to committee on House Public Education

HB 2747 Martinez-Fischer Relating to reporting information regarding public school student dropout rates.
Last Action: 4-12-11 H Committee action pending House Public Education

HB 2748 Martinez-Fischer Relating to grants to student clubs for dropout prevention.
Last Action: 5-12-11 H Representative Chisum gives the one hour notice to reconsider the vote by which HB 2748 failed to pass on May 12, 2011

HB 2773 Bohac Relating to the salary paid to certain professional employees of public schools.
Last Action: 3-16-11 H Introduced and referred to committee on House Public Education

HB 2796 Bonnen Relating to repeal of the coordinated health program for public primary and secondary schools.
Last Action: 3-16-11 H Introduced and referred to committee on House Public Education

HB 2797 Bonnen Relating to elimination of the requirement that school districts and public junior college districts conduct periodic safety and security audits of district facilities.
Last Action: 4-12-11 H Committee action pending House Public Education

HB 2816 Taylor, Larry Relating to eliminating certain mandates on school districts.
Last Action: 3-16-11 H Introduced and referred to committee on House Public Education

HB 2843 Madden Relating to the provision of additional opportunities for instruction through the state virtual school network.
Last Action: 4-19-11 H Committee action pending House Public Education

HB 2848 Smithee Relating to treatment under the public school finance system of a school district that imposes a maintenance and operations tax at a rate below the rate otherwise required for entitlement to state funding.
Last Action: 4- 5-11 H Committee action pending House Public Education

HB 2877 Aycock Relating to required sale or lease of unused or underutilized school district facilities to charter schools.
Last Action: 3-22-11 H Committee action pending House Public Education

HB 2883 Weber Relating to a disciplinary proceeding for a professional employee of a school district based on the employee's use of physical force against a student.
Last Action: 3-17-11 H Introduced and referred to committee on House Public Education

HB 2915 Frullo Relating to the requirements for a driver education instructor license.
Last Action: 3-17-11 H Introduced and referred to committee on House Public Education

HB 2923 Huberty Relating to state sovereignty over curriculum standards, assessments, and student information.
Last Action: 5- 4-11 H Reported from committee as substituted House Select Committee on State Sovereignty

HB 2926 Farias Relating to reporting by school districts for purposes of the Public Education Information Management System (PEIMS) of data on students who drop out or otherwise leave public school.
Last Action: 3-17-11 H Introduced and referred to committee on House Public Education

HB 2932 Castro Relating to college preparatory courses offered by school districts for local course credit.
Last Action: 4-26-11 H Committee action pending House Public Education

HB 2952 Cain Relating to municipal, county, and school district and other special district budgets.
Last Action: 3-17-11 H Introduced and referred to committee on House Ways and Means

HB 3006 Bonnen Relating to the minimum number of days of service for public school educators and the required number of days of instruction for public school students.
Last Action: 3-17-11 H Introduced and referred to committee on House Public Education

HB 3007 Bonnen Relating to eliminating the requirement that a school district assess the physical fitness of students.
Last Action: 3-17-11 H Introduced and referred to committee on House Public Education

HB 3008 Bonnen Relating to the salary paid to certain professional employees of public schools.
Last Action: 3-17-11 H Introduced and referred to committee on House Public Education

HB 3009 Bonnen Relating to removal of the requirements concerning random testing for illegal steroids of high school students participating in athletic competitions sponsored or sanctioned by the University Interscholastic League.
Last Action: 4-26-11 H Committee action pending House Public Education

HB 3010 Bonnen Relating to the schedule for administration of state-administered assessment instruments in public schools.
Last Action: 3-17-11 H Introduced and referred to committee on House Public Education

HB 3018 Gutierrez Relating to a policy of a school district concerning possession of a paging device by a student.
Last Action: 5-16-11 S Referred to Senate Committee on Senate Education

HB 3026 Weber Relating to home-rule school districts.
Last Action: 5- 9-11 H Reported from committee as substituted House Public Education

HB 3028 Weber Relating to activities by the University Interscholastic League involving sports officials.
Last Action: 5- 9-11 H Voted favorably from committee on House Public Education

HB 3043 Eissler Relating to an alcohol awareness component of the science curriculum used in public schools.
Last Action: 3-17-11 H Introduced and referred to committee on House Public Education

HB 3058 Villarreal Relating to a program for developing alternative local models for the appraisal and professional development of public school teachers.
Last Action: 3-18-11 H Introduced and referred to committee on House Public Education

HB 3075 Veasey Relating to the health and physical education program guidelines that a school district must use in

the district's health or physical education curriculum.

Last Action: 3-18-11 H Introduced and referred to committee on House Public Education

HB 3083 Isaac Relating to exemption from assessment instruments for students attending public school campuses that are awarded certain distinction designations.

Last Action: 3-18-11 H Introduced and referred to committee on House Public Education

HB 3088 Madden Relating to the state virtual school network and virtual high schools.

Last Action: 3-18-11 H Introduced and referred to committee on House Public Education

HB 3097 Kolkhorst Relating to the responsibilities of the comptroller and school districts in the implementation of the Texas Economic Development Act.

Last Action: 4-26-11 H Committee action pending House Ways and Means

HB 3119 Landtroop Relating to certification required to teach public school elective courses on the Old and New Testaments and to students offered those courses.

Last Action: 3-18-11 H Introduced and referred to committee on House Public Education

HB 3130 Geren Relating to the registration of a referee of certain extracurricular athletic activities sponsored or sanctioned by certain public or private schools.

Last Action: 4-19-11 H Committee action pending House Public Education

HB 3135 Shelton Relating to reasonable break times and facilities for school district educators expressing breast milk.

Last Action: 5- 9-11 S Referred to Senate Committee on Senate Education

HB 3162 Hancock Relating to the eligibility of school district bonds under programs providing state financial assistance for instructional facilities and related debt.

Last Action: 3-18-11 H Introduced and referred to committee on House Public Education

HB 3173 Rodriguez Relating to the required public notice of the names of a certain number of finalists for the position of superintendent of a public school district.

Last Action: 3-18-11 H Introduced and referred to committee on House Public Education

HB 3204 Davis, Yvonne Relating to criminal history record and other information concerning certain school district employees.

Last Action: 3-18-11 H Introduced and referred to committee on House Public Education

HB 3233 Hernandez Luna Relating to public school accountability for bilingual education and English as a second language and other special language programs.

Last Action: 3-18-11 H Introduced and referred to committee on House Public Education

HB 3257 Strama Relating to procedures applicable to adoption of the public school curriculum by the State Board of Education.

Last Action: 4-19-11 H Committee action pending House Public Education

HB 3263 Strama Relating to higher education curriculum review teams to review public school curriculum standards for college readiness purposes.

Last Action: 4-13-11 H Committee action pending House Higher Education

HB 3267 Creighton Relating to a prohibition on school districts employing under a contract a person whose employment responsibilities relate only to extracurricular activities.

Last Action: 3-18-11 H Introduced and referred to committee on House Public Education

HB 3280 Guillen Relating to additional virtual instruction at public and private elementary and secondary schools.

Last Action: 4- 5-11 H Committee action pending House Public Education

HB 3285 Guillen Relating to considering the assessment instrument results of certain students in evaluating school district and campus performance.

Last Action: 4-12-11 H Committee action pending House Public Education

HB 3288 Giddings Relating to breakfast programs for public school students.

Last Action: 3-18-11 H Introduced and referred to committee on House Public Education

HB 3292 Harper-Brown Relating to restrictions on written reports required to be provided by school districts and open-enrollment charter schools.

Last Action: 3-18-11 H Introduced and referred to committee on House Public Education

HB 3312 Carter Relating to an election to authorize an increase in a school district superintendent's salary.

Last Action: 3-18-11 H Introduced and referred to committee on House Public Education

HB 3339 White Relating to the conversion of certain public school campuses to charter campuses.

Last Action: 3-18-11 H Introduced and referred to committee on House Public Education

HB 3358 Miles Relating to information on the number of calories in certain foods offered by public schools to students.

Last Action: 3-18-11 H Introduced and referred to committee on House Public Education

HB 3367 White Relating to the repeal of the laws authorizing the imposition of ad valorem taxes, the rates and expansion of the applicability of state and local sales taxes, and the distribution of sales tax revenue to entities.

Last Action: 3-18-11 H Introduced and referred to committee on House Ways and Means

HB 3403 Web er Relating to personal leave provided for a school district employee who is a victim of certain assaults.

Last Action: 3-18-11 H Introduced and referred to committee on House Public Education

HB 3433 Raymond Raymond Relating to disposition of proceeds from the development or sale of the rights to natural resources or minerals in land held by Webb County for the county permanent school fund.

Last Action: 4- 5-11 H Not heard in committee House Public Education

HB 3440 Pickett Relating to creation of an offense of bullying of a school district employee by a student.

Last Action: 3-18-11 H Introduced and referred to committee on House Public Education

HB 3461 Margo Relating to the transfer of adult education and literacy programs from the Texas Education Agency to the Texas Higher Education Coordinating Board.

Last Action: 5-20-11 S Committee action pending Senate Higher Education

HB 3463 Cain Relating to paperwork requirements and unfunded mandates imposed on school districts.

Last Action: 3-18-11 H Introduced and referred to committee on House Public Education

HB 3466 Patrick, Diane Relating to authorization for granting, in response to petitions by parents, campus charters for certain public school campuses identified as unacceptable.

Last Action: 3-18-11 H Introduced and referred to committee on House Public Education

HB 3467 Patrick, Diane Relating to restrictions on school districts making available to students food containing industrially produced trans fat.

Last Action: 4-12-11 H Committee action pending House Public Education

HB 3469 Patrick, Diane Relating to the periodic review and revision of college and career readiness standards in public education.

Last Action: 3-18-11 H Introduced and referred to committee on House Public Education

HB 3471 Patrick, Diane Relating to the establishment of an advisory committee to study the feasibility of requiring dental examinations for certain public school students.

Last Action: 3-18-11 H Introduced and referred to committee on House Public Education

HB 3484 Gonzales, Veronica Relating to the applicability of cumulative voting for the board of trustees of certain independent school districts.

Last Action: 3-18-11 H Introduced and referred to committee on House Border and Intergovernmental Affairs

HB 3501 Callegari Relating to school district personnel.

Last Action: 3-22-11 H Introduced and referred to committee on House Public Education

HB 3504 Villarreal Relating to transferring primary authority for the adoption of the public school curriculum and textbooks from the State Board of Education to the commissioner of education.

Last Action: 3-22-11 H Introduced and referred to committee on House Public Education

HB 3505 Villarreal Relating to school district governance.

Last Action: 3-22-11 H Introduced and referred to committee on House Public Education

HB 3515 Branch Relating to the Texas Science, Technology, Engineering, and Mathematics (T-STEM) Challenge Scholarship program.

Last Action: 3-22-11 H Introduced and referred to committee on House Higher Education

HB 3519 Lavender Relating to state administration of certain assessment instruments to public school students.

Last Action: 3-22-11 H Introduced and referred to committee on House Public Education

HB 3528 Davis, Yvonne Relating to distribution of revenue under the public school finance system.

Last Action: 3-22-11 H Introduced and referred to committee on House Public Education

HB 3532 Strama Relating to the creation of a competitive solar schools incentive program.

Last Action: 5- 9-11 H Reported from committee as substituted House Energy Resources

HB 3552 Garza Relating to the exemption from ad valorem taxation of property used to provide low-income or moderate-income housing.

Last Action: 4-18-11 H Committee action pending House Ways and Means

HB 3568 Lucio III Relating to the date of the election for trustees of an independent school district.

Last Action: 3-22-11 H Introduced and referred to committee on House Public Education

HB 3582 Harless Relating to the allocation to a school district of the expenses of a joint election.

Last Action: 5- 9-11 S Referred to Senate Committee on Senate State Affairs

HB 3596 Hancock Relating to public school finance and the allocation of state funds.

Last Action: 3-23-11 H Introduced and referred to committee on House Public Education

HB 3599 Garza Relating to contracting with emerging fund managers by the State Board of Education for investment of the permanent school fund.

Last Action: 3-23-11 H Introduced and referred to committee on House Public Education

HB 3625 Carter Relating to a task force on school district administrative efficiency.

Last Action: 3-23-11 H Introduced and referred to committee on House Public Education

HB 3639 Pitts Relating to state fiscal matters related to public and higher education.

Last Action: 5-12-11 H Bill pronounced dead by procedural action

HB 3679 Martinez Fischer Relating to a prohibition on the marketing of foods of minimal nutritional value on public school campuses.

Last Action: 3-23-11 H Introduced and referred to committee on House Public Health

HB 3680 Martinez Fischer Relating to the types of food or beverages that may be sold to students on public school campuses.

Last Action: 3-23-11 H Introduced and referred to committee on House Public Health

HB 3681 Martinez Fischer Relating to assessments of physical fitness of public school students and campus ratings based on that assessment.

Last Action: 3-23-11 H Introduced and referred to committee on House Public Education

HB 3682 Martinez Fischer Relating to physical activity requirements applicable to public school students.

Last Action: 3-23-11 H Introduced and referred to committee on House Public Education

HB 3694 Gallego Relating to certain requirements of sports officials by the University Interscholastic League.

Last Action: 4-12-11 H Committee action pending House Public Education

HB 3709 Hochberg Relating to reducing costs in public school extracurricular activities.

Last Action: 3-23-11 H Introduced and referred to committee on House Public Education

HB 3712 Giddings Relating to the reporting of information by a school district relating to certain offenses committed by certain students.

Last Action: 3-23-11 H Introduced and referred to committee on House Public Education

HB 3713 Giddings Relating to a grant program to promote good citizenship.

Last Action: 3-23-11 H Introduced and referred to committee on House Public Education

HB 3737 Martinez Relating to broadcasting of athletic competitions sponsored or sanctioned by the University Interscholastic League.

Last Action: 3-23-11 H Introduced and referred to committee on House Public Education

HB 3750 Dutton Relating to the waiver of sovereign immunity of a school district for certain claims arising from the provision of community education child care services.

Last Action: 3-23-11 H Introduced and referred to committee on House Judiciary and Civil Jurisprudence

HB 3758 Giddings Relating to the issuance of citations to certain public school students on school property during regular school hours or on a vehicle owned or operated by a county or independent school district.

Last Action: 5-12-11 H Set on the House Calendar

HB 3765 Pitts Relating to the date on which certain payments are made by the state under the Foundation School Program.

Last Action: 3-23-11 H Introduced and referred to committee on House Appropriations

HB 3769 Smithee Relating to allowing driver education courses to be delivered by course providers.

Last Action: 3-23-11 H Introduced and referred to committee on House Public Education

HB 3770 Burkett Relating to unstructured activity requirements for public elementary school students.

Last Action: 3-23-11 H Introduced and referred to committee on House Public Education

HB 3780 Alonzo Relating to compliance with rules, bylaws, and written policies adopted by a school district's board of trustees.

Last Action: 3-23-11 H Introduced and referred to committee on House Public Education

HB 3787 Allen Relating to the salary paid to certain professional employees of public schools.

Last Action: 3-23-11 H Introduced and referred to committee on House Public Education

HCR 31 Dutton Requesting the Texas Education Agency to develop a rating system for the performance of local

school boards.

Last Action: 2-18-11 H Introduced and referred to committee on House Public Education

HCR 37 Guillen Urging Congress to revise the No Child Left Behind Act of 2001 so that the State of Texas may exclude assessment scores of recently arrived limited English proficiency students from adequate yearly progress determinations.

Last Action: 4-13-11 H Committee action pending House State Affairs

HJR 21 Martinez Proposing a constitutional amendment increasing the amount of the residence homestead exemption from ad valorem taxation for public school purposes from \$15,000 to \$45,000.

Last Action: 2- 9-11 H Introduced and referred to committee on House Ways and Means

HJR 23 Fletcher Proposing a constitutional amendment authorizing the legislature to provide for an exemption from ad valorem taxation of the residence homestead of the surviving spouse of a 100 percent or totally disabled veteran.

Last Action: 5- 2-11 H Committee action pending House Ways and Means

HJR 31 Raymond Proposing a constitutional amendment prohibiting the authorization or funding of an elementary or secondary education voucher program.

Last Action: 2-21-11 H Introduced and referred to committee on House Public Education

HJR 32 Raymond Proposing a constitutional amendment to dedicate net revenue from the state lottery to support educational programs that benefit classroom teaching in the state's public schools and to prohibit certain lottery advertisements.

Last Action: 2-21-11 H Introduced and referred to committee on House Appropriations

HJR 38 Berman Proposing a constitutional amendment to establish English as the official language of Texas and require that officials acts of government be performed in English.

Last Action: 2-21-11 H Introduced and referred to committee on House State Affairs

HJR 40 Pickett Proposing a constitutional amendment authorizing the legislature to provide for an exemption from ad valorem taxation of the residence homestead of the surviving spouse of a 100 percent or totally disabled veteran.

Last Action: 2-21-11 H Introduced and referred to committee on House Ways and Means

HJR 42 Callegari Concerning limitation on rate of growth of state appropriations and use of unencumbered surplus state revenues to provide for a state franchise taxes rebate, to reduce public school property taxes and fund the state's rainy day fund.

Last Action: 4-28-11 H Committee action pending House Appropriations

HJR 46 White Proposing a constitutional amendment releasing a school district from the obligation to comply with an unfunded state educational mandate.

Last Action: 2-21-11 H Introduced and referred to committee on House Public Education

HJR 68 Hopson Amendment increasing the amount of the residence homestead exemption from ad valorem taxation for public school purposes from \$15,000 to \$30,000 and providing for a reduction of the limitation on the total amount of taxes.

Last Action: 2-22-11 H Introduced and referred to committee on House Ways and Means

HJR 72 King, Phil Proposing a constitutional amendment authorizing the legislature to provide for an exemption from ad valorem taxation of the residence homestead of the surviving spouse of a 100 percent or totally disabled veteran.

Last Action: 2-23-11 H Introduced and referred to committee on House Ways and Means

HJR 73 King, Phil Proposing a constitutional amendment abolishing school district maintenance and operations ad valorem taxes.

Last Action: 2-23-11 H Introduced and referred to committee on House Ways and Means

HJR 83 Paxton Proposing a constitutional amendment to phase out ad valorem taxes on the residence homesteads of elderly persons by 2021.

Last Action: 2-28-11 H Introduced and referred to committee on House Ways and Means

HJR 85 Howard, Donna Proposing a constitutional amendment to create the Permanent School Fund Management Council to assume the duty of the State Board of Education to manage the permanent school fund.

Last Action: 2-28-11 H Introduced and referred to committee on House Public Education

HJR 91 Menendez Proposing a constitutional amendment dissolving the State Board of Education and creating the Texas Education Commission.

Last Action: 3- 1-11 H Introduced and referred to committee on House Public Education

HJR 93 Christian Proposing a constitutional amendment exempting residential real property from ad valorem taxation.

Last Action: 3- 1-11 H Introduced and referred to committee on House Ways and Means

HJR 96 Alonzo Proposing a constitutional amendment abolishing the State Board of Education and transferring the board's constitutional functions to the Texas Education Agency.

Last Action: 2-24-11 H Introduced and referred to committee on House Public Education

HJR 99 Ritter Proposing a constitutional amendment authorizing the legislature to exempt from ad valorem taxation real property leased to certain schools organized and operated primarily for the purpose of engaging in educational functions.

Last Action: 4- 4-11 H Committee action pending House Ways and Means

HJR 104 Elkins Proposing a constitutional amendment relating to the support and maintenance and an efficient system of public schools.

Last Action: 3-10-11 H Introduced and referred to committee on House Public Education

HJR 121 Hochberg Proposing a constitutional amendment increasing the amount of the residence homestead exemption from ad valorem taxation for public school purposes.

Last Action: 3-15-11 H Introduced and referred to committee on House Public Education

SB 3 Shapiro Relating to the flexibility of the board of trustees of a school district in the management and operation of public schools in the district.

Last Action: 4-12-11 S Committee action pending Senate Education

SB 4 Shapiro Relating to certification, performance, continuing education, and appraisal of public school teachers.

Last Action: 5-24-11 H Set on the House Calendar

SB 6 Shapiro Relating to the foundation curriculum, the establishment of the instructional materials allotment, and the adoption, review, and purchase of instructional materials and technological equipment for public schools.

Last Action: 4-14-11 H Referred to House Committee on House Public Education

SB 12 Shapiro Relating to the flexibility of the board of trustees of a school district in the management and operation of public schools in the district.

Last Action: 4-27-11 S Placed on the Senate Calendar for

SB 22 Shapiro Relating to public school finance.

Last Action: 5-21-11 S Placed on the Senate Calendar for

SB 26 Zaffirini Relating to the use of person first respectful language in reference to individuals with disabilities.

Last Action: 4-19-11 S Committee action pending Senate Health and Human Services

SB 35 Zaffirini Relating to transition and employment services for public school students enrolled in special

education programs.

Last Action: 5-24-11 H Set on the House Calendar

SB 42 Zaffirini Relating to bullying through electronic means in public schools.

Last Action: 3-22-11 S Committee action pending Senate Education

SB 48 Zaffirini Relating to consideration of school district disciplinary placement information.

Last Action: 1-31-11 S Introduced and referred to committee on Senate Education

SB 50 Zaffirini Relating to regulatory authority for courses taken by public high school students for both high school and college credit.

Last Action: 1-31-11 S Introduced and referred to committee on Senate Education

SB 51 Zaffirini Relating to a pilot program to expand access to career and technical education partnerships in rural areas.

Last Action: 1-31-11 S Introduced and referred to committee on Senate Agriculture and Rural Affairs

SB 53 Zaffirini Relating to public school accountability for bilingual education and English as a second language and other special language programs.

Last Action: 3-31-11 S Committee action pending Senate Education

SB 66 Zaffirini Relating to the transfer of a student from the school district of the student's residence to another district.

Last Action: 5-21-11 H Reported favorably from committee on House Public Education

SB 79 Nelson Relating to the contents and applicability of a school district's grading policy.

Last Action: 5-11-11 H Reported favorably from committee on House Public Education

SB 87 Lucio Relating to professional development institutes regarding education of students with disabilities to serve as a resource for public school teachers and paraprofessionals.

Last Action: 1-31-11 S Introduced and referred to committee on Senate Education

SB 88 Lucio Relating to free breakfast for certain public school students.

Last Action: 1-31-11 S Introduced and referred to committee on Senate Education

SB 90 Lucio Relating to the financing of school district facilities and tax relief for facilities debt.

Last Action: 1-31-11 S Introduced and referred to committee on Senate Education

SB 91 Lucio Relating to an interim study to determine public school facility needs.

Last Action: 1-31-11 S Introduced and referred to committee on Senate Education

SB 112 Davis, Wendy Relating to public school finance and certain limitations on the ad valorem tax rate of a school district.

Last Action: 1-31-11 S Introduced and referred to committee on Senate Education

SB 114 Davis, Wendy Relating to the expansion of the financial literacy pilot program in public schools.

Last Action: 1-31-11 S Introduced and referred to committee on Senate Education

SB 127 Patrick, Dan Relating to the establishment, operation, and funding of open-enrollment charter schools.

Last Action: 5-21-11 H Reported from committee as substituted House Public Education

SB 140 Shapiro Relating to minimum public school attendance for class credit or a grade.

Last Action: 5-19-11 H Vote failed in committee on House Public Education

SB 157 Williams Relating to a school choice program for certain students with disabilities.

Last Action: 1-31-11 S Introduced and referred to committee on Senate Education

SB 183 Wentworth Relating to placement of a student in a disciplinary alternative education program for certain harassing behavior directed at an educator.

Last Action: 1-31-11 S Introduced and referred to committee on Senate Education

SB 185 Nelson Relating to physical activity requirements for students in public schools.

Last Action: 1-31-11 S Introduced and referred to committee on Senate Education

SB 186 Nelson Relating to health and physical education credits required for high school graduation.

Last Action: 1-31-11 S Introduced and referred to committee on Senate Education

SB 205 Whitmire Relating to school district policies to prohibit bullying, cyberbullying, harassment, and intimidation.

Last Action: 5-21-11 H Reported favorably from committee on House Public Education

SB 207 Gallegos Relating to requiring certain students leaving public school to provide documentation necessary to ensure an accurate calculation of dropout rates.

Last Action: 1-31-11 S Introduced and referred to committee on Senate Education

SB 208 Gallegos Relating to public notice and forums concerning finalists for the position of superintendent of a school district.

Last Action: 4-28-11 H Referred to House Committee on House Public Education

SB 224 Nelson Relating to a program to recognize public schools with successful student health and fitness programs.

Last Action: 5-19-11 H Reported from committee as substituted House Public Education

SB 225 Nelson Relating to including in public school campus improvement plans and in local school health advisory council reports to school district boards of trustees certain goals and objectives or information.

Last Action: 1-31-11 S Introduced and referred to committee on Senate Education

SB 242 Davis, Wendy Relating to bullying, including cyberbullying, in public schools.

Last Action: 3-22-11 S Committee action pending Senate Education

SB 245 Davis, Wendy Relating to bullying, including cyberbullying, in public schools.

Last Action: 1-31-11 S Introduced and referred to committee on Senate Education

SB 291 Watson Relating to an alcohol awareness component of the science curriculum used in public schools.

Last Action: 5-17-11 H Committee action pending House Public Education

SB 296 Wentworth Relating to the mitigation of the impact of residential development in public school districts.

Last Action: 3- 3-11 S Removed from hearing 03/08/11, Senate Education

SB 307 Seliger Relating to the composition of the districts for the election of members of the State Board of Education.

Last Action: 2- 2-11 S Introduced and referred to committee on Senate Select Committee on Redistricting

SB 345 Gallegos Relating to staff development training for certain public school administrators regarding student discipline management.

Last Action: 2- 2-11 S Introduced and referred to committee on Senate Education

SB 346 Gallegos Relating to the curriculum that must be provided by a disciplinary alternative education program.

Last Action: 5-20-11 H Reported favorably from committee on House Public Education

SB 405 Lucio Relating to a notification requirement if a counselor is not assigned to a public school campus.

Last Action: 2- 2-11 S Introduced and referred to committee on Senate Education

SB 406 Lucio Relating to a notification requirement if a counselor is not assigned to a public school campus.
Last Action: 2- 2-11 S Introduced and referred to committee on Senate Education

SB 418 Williams Relating to the carrying of concealed handguns by certain persons attending a school board meeting.
Last Action: 2- 2-11 S Introduced and referred to committee on Senate Criminal Justice

SB 443 Patrick, Dan Relating to measures intended to provide flexibility and cost savings to school districts.
Last Action: 3- 8-11 S Committee action pending Senate Education

SB 452 Ellis Relating to placing the State Board of Education under periodic review by the Sunset Advisory Commission.
Last Action: 2-14-11 S Introduced and referred to committee on Senate Education

SB 463 Lucio Relating to providing parents with notice of a school district's promotion and retention policies.
Last Action: 2-14-11 S Introduced and referred to committee on Senate Education

SB 466 Lucio Relating to a requirement that public school counselors demonstrate knowledge of counseling regarding higher education to obtain a school counselor certificate.
Last Action: 2-14-11 S Introduced and referred to committee on Senate Education

SB 468 Shapiro Relating to the flexibility of the board of trustees of a school district in the management and operation of public schools in the district.
Last Action: 3- 8-11 S Not heard in committee Senate Education

SB 477 Patrick, Dan Relating to the allocation to a school district of the expenses of a joint election.
Last Action: 2-14-11 S Introduced and referred to committee on Senate State Affairs

SB 504 Davis, Wendy Relating to discounted utility rates for school districts.
Last Action: 3-22-11 S Committee action pending Senate Business and Commerce

SB 518 Shapiro Relating to initiatives designed to improve performance of public school students enrolled at the sixth, seventh, and eighth grade levels.
Last Action: 5-17-11 H Committee action pending House Public Education

SB 535 Davis, Wendy Relating to the persons who may be prosecuted for improper relationship between educator and student.
Last Action: 2-17-11 S Introduced and referred to committee on Senate Criminal Justice

SB 536 Davis, Wendy Relating to the use of certain disciplinary management practices or behavior management techniques by peace officers employed or commissioned by school districts.
Last Action: 5-19-11 H Voted favorably from committee on House Public Education

SB 550 Eltife Relating to the required public notice of the names of a certain number of finalists for the position of superintendent of a public school district.
Last Action: 5-17-11 H Committee action pending House Public Education

SB 570 Shapiro Relating to beginning teacher induction and mentoring programs for public schools.
Last Action: 5-21-11 H Reported favorably from committee on House Public Education

SB 585 Watson Relating to programs, services, and information related to women's health, family planning, and human sexuality.
Last Action: 4-28-11 S Not heard in committee Senate Health and Human Services

SB 593 West Relating to disproportionate disciplinary action by school districts against students of a particular race

or ethnicity or students enrolled in a special education program.

Last Action: 2-17-11 S Introduced and referred to committee on Senate Education

SB 596 Shapiro Relating to transition planning for a public school student receiving special education services.

Last Action: 5-10-11 H Committee action pending House Public Education

SB 597 Shapiro Relating to the guarantee of open-enrollment charter school bonds by the permanent school fund.

Last Action: 5-19-11 H Reported favorably from committee as amended House Ways and Means

SB 598 Ellis Relating to limits on the size of prekindergarten classes in public schools.

Last Action: 2-17-11 S Introduced and referred to committee on Senate Education

SB 599 Ellis Relating to the availability of free prekindergarten programs in public schools.

Last Action: 2-17-11 S Introduced and referred to committee on Senate Education

SB 624 Whitmire Relating to the repeal of a driver responsibility program.

Last Action: 2-28-11 S Introduced and referred to committee on Senate Finance

SB 678 Gallegos Relating to a school district policy regarding the removal of a student from a public school teacher's classroom.

Last Action: 2-23-11 S Introduced and referred to committee on Senate Education

SB 679 Gallegos Relating to minimum educational qualifications for open-enrollment charter school teachers.

Last Action: 2-23-11 S Introduced and referred to committee on Senate Education

SB 702 Watson Relating to the preparation of economic impact statements for legislative measures.

Last Action: 2-23-11 S Introduced and referred to committee on Senate Finance

SB 718 Van de Putte Relating to disciplinary action taken against public school students on the basis of serious and persistent misbehavior.

Last Action: 4-28-11 H Referred to House Committee on House Public Education

SB 733 Ellis Relating to a notification requirement if a public school campus or open-enrollment charter school does not have a nurse assigned to the campus during all instructional hours.

Last Action: 2-23-11 S Introduced and referred to committee on Senate Education

SB 746 Davis, Wendy Relating to membership of the state continuing advisory committee for special education services.

Last Action: 4-14-11 H Referred to House Committee on House Public Education

SB 784 Hinojosa Relating to librarians employed by school districts.

Last Action: 3- 1-11 S Introduced and referred to committee on Senate Education

SB 850 Zaffirini Relating to formula funding for certain semester credit hours earned for dual course credit.

Last Action: 5-19-11 H Reported from committee as substituted House Higher Education

SB 852 Ellis Relating to health education curriculum and instruction in public schools.

Last Action: 3- 1-11 S Introduced and referred to committee on Senate Education

SB 863 Rodriguez Relating to creation of an offense of bullying of a school district employee by a student.

Last Action: 3- 1-11 S Introduced and referred to committee on Senate Education

SB 868 Lucio Relating to severance payments to superintendents of independent school districts.

Last Action: 3- 1-11 S Introduced and referred to committee on Senate Education

SB 869 Lucio Relating to the requirement that a member of the board of trustees of an independent school district

file a financial disclosure statement.

Last Action: 3- 1-11 S Introduced and referred to committee on Senate State Affairs

SB 870 Lucio Relating to notifying parents of changes to school district policy.

Last Action: 3- 1-11 S Introduced and referred to committee on Senate Education

SB 872 Shapiro Relating to the study of productivity and cost-effectiveness in public education.

Last Action: 4-12-11 S Meeting set for 8:30 A.M., E1.028, Senate Education

SB 902 Patrick, Dan Relating to participation by private school students in University Interscholastic League sponsored activities.

Last Action: 3- 8-11 S Introduced and referred to committee on Senate Education

SB 912 West Relating to temporary modification under certain circumstances of procedures authorized for the nonrenewal of public school teacher term contracts.

Last Action: 4-11-11 H Referred to House Committee on House Public Education

SB 941 Watson Relating to a study regarding school district practices in selecting sites for new school campuses.

Last Action: 3- 8-11 S Introduced and referred to committee on Senate Education

SB 946 Patrick, Dan Relating to the small-sized district adjustment under the public school finance system.

Last Action: 3- 8-11 S Introduced and referred to committee on Senate Education

SB 1070 Jackson, Mike Relating to the composition of the permanent advisory committee to advise the Texas Commission on Environmental Quality regarding the implementation of the ad valorem tax exemption for pollution control property.

Last Action: 5-25-11 H Withdrawn from the Local Calendar

SB 1091 Rodriguez Relating to authorization for a caregiver who is a relative to enroll a child in school.

Last Action: 3-16-11 S Introduced and referred to committee on Senate Education

SB 1092 Rodriguez Relating to creating a pilot project to reduce the need for developmental education required for certain students entering higher education.

Last Action: 3-16-11 S Introduced and referred to committee on Senate Education

SB 1093 Rodriguez Relating to requirements regarding the employment by school districts of educational support employees.

Last Action: 3-16-11 S Introduced and referred to committee on Senate Education

SB 1105 Jackson, Mike Relating to an allotment under the public school finance system for the cost of windstorm and hail insurance.

Last Action: 3-16-11 S Introduced and referred to committee on Senate Education

SB 1113 Wentworth Relating to certain contracts entered into by school districts for another entity to provide food services at one or more district schools.

Last Action: 5-24-11 H Set on the House Calendar

SB 1116 Whitmire Relating to the punishment of certain prohibited conduct that occurs on a public school campus or on a vehicle owned by a county or school district.

Last Action: 5-24-11 H Set on the House Calendar

SB 1117 Whitmire Relating to the prosecution of a parent contributing to the nonattendance of a public school student.

Last Action: 5-17-11 H Committee action pending House Public Education

SB 1129 Seliger Relating to treatment under the public school finance system of a school district that imposes a

maintenance and operations tax at a rate below the rate otherwise required for entitlement to state funding.
Last Action: 3-16-11 S Introduced and referred to committee on Senate Finance

SB 1139 Watson Relating to a study of and report on public and private out-of-school time programs.
Last Action: 3-16-11 S Introduced and referred to committee on Senate Education

SB 1142 Van de Putte Relating to revision of open-enrollment charter school charters to add charter schools under certain circumstances.
Last Action: 3-16-11 S Introduced and referred to committee on Senate Education

SB 1163 Wentworth Relating to the exchange of information among certain entities concerning at-risk youth.
Last Action: 3-16-11 S Introduced and referred to committee on Senate Jurisprudence

SB 1214 Patrick, Dan Relating to equal opportunity for access by private and parochial school students to University Interscholastic League sponsored activities.
Last Action: 5-24-11 H Set on the House Calendar

SB 1215 Patrick, Dan Relating to an exemption from ad valorem taxation by a school district for maintenance and operations purposes of the appraised value of a residence homestead and the offsetting of the resulting revenue loss to school districts.
Last Action: 3-16-11 S Introduced and referred to committee on Senate Finance

SB 1239 West Relating to a prohibition against the use of certain sprays, stun guns, and tasers by school district peace officers, security personnel, and other employees against public school students.
Last Action: 3-16-11 S Introduced and referred to committee on Senate Education

SB 1261 Hinojosa Relating to the operation of dropout recovery programs by public junior colleges in partnership with school districts.
Last Action: 3-16-11 S Introduced and referred to committee on Senate Education

SB 1305 Rodriguez Relating to a prohibition of school district retaliation against an employee for filing a grievance.
Last Action: 3-16-11 S Introduced and referred to committee on Senate Education

SB 1326 Watson Relating to procedures applicable to adoption of the public school curriculum by the State Board of Education.
Last Action: 3-22-11 S Introduced and referred to committee on Senate Education

SB 1328 Watson Relating to optional dispute resolution methods for school districts and parents of students seeking or receiving special education services.
Last Action: 5-19-11 H Committee action pending House Public Education

SB 1348 Van de Putte Relating to higher education curriculum review teams to review public school curriculum standards for college readiness purposes.
Last Action: 5- 4-11 S Placed on the Senate Calendar for

SB 1349 Van de Putte Relating to a requirement that a person hold a license issued by the appropriate state agency to be employed as a marriage and family therapist by a school district.
Last Action: 5-10-11 H Committee action pending House Public Education

SB 1390 Gallegos Relating to the eligibility of the Texas ChalleNGe Academy to receive Foundation School Program funding.
Last Action: 3-22-11 S Introduced and referred to committee on Senate Education

SB 1403 Seliger Relating to the administration to public school students in certain grades of state-administered assessment instruments.
Last Action: 3-22-11 S Introduced and referred to committee on Senate Education

SB 1454 Lucio Relating to the membership and duties of the interagency obesity council.
Last Action: 4-26-11 S Committee action pending Senate Health and Human Services

SB 1481 Seliger Relating to allowing driver education courses to be delivered by course providers.
Last Action: 4-6-11 S Committee action pending Senate Transportation and Homeland Security

SB 1483 Shapiro Relating to the state virtual school network and virtual high schools.
Last Action: 5-5-11 S Placed on the Senate Calendar for

SB 1485 West Relating to the authority of a school district to implement a school bus monitoring system that records images, including images of vehicles that pass a stopped school bus.
Last Action: 5-13-11 S Passed to third reading (Vote: Y: 18/N: 13)

SB 1486 West Relating to requirements regarding public school accountability.
Last Action: 3-22-11 S Introduced and referred to committee on Senate Education

SB 1497 Shapiro Relating to certain responsibilities of education research centers and to a joint advisory board of education research centers.
Last Action: 3-22-11 S Introduced and referred to committee on Senate Higher Education

SB 1498 Watson Relating to idling the diesel engine of a school bus while the bus is parked at a public school or in a school crossing zone.
Last Action: 3-22-11 S Introduced and referred to committee on Senate Transportation and Homeland Security

SB 1499 Watson Relating to advancement of college readiness in the public school curriculum through evaluations and recommendations of vertical teams composed of faculty members of institutions of higher education.
Last Action: 3-22-11 S Introduced and referred to committee on Senate Higher Education

SB 1511 West Relating to the preparation, certification and working conditions of educators.
Last Action: 5-21-11 H Reported favorably from committee on House Public Education

SB 1533 Hinojosa Relating to restrictions on school districts making available to students food containing industrially produced trans fat.
Last Action: 5-9-11 H Referred to House Committee on House Public Education

SB 1544 Patrick, Dan Relating to a determination on granting assault leave to a certified educator where there has been a juvenile or criminal conviction.
Last Action: 4-6-11 S Removed from hearing 04/07/11, Senate Education

SB 1563 West Relating to the methodology for the certification of funds to support satisfactory performance on certain state assessments.
Last Action: 3-23-11 S Introduced and referred to committee on Senate Education

SB 1581 Ogden Relating to state fiscal matters related to public and higher education.
Last Action: 5-23-11 H Recommitted to committee on House Public Education

SB 1603 Seliger Relating to the basis for apportioning annual per capita payments from the available school fund.
Last Action: 3-23-11 S Introduced and referred to committee on Senate Education

SB 1622 Van de Putte Relating to a secondary-level English language learners' program for public school students of limited English proficiency.
Last Action: 4-7-11 S Committee action pending Senate Education

SB 1623 Van de Putte Relating to transfer of a student of limited English proficiency out of a public school bilingual education or special language program.

Last Action: 3-23-11 S Introduced and referred to committee on Senate Education

SB 1627 Hegar Relating to creation and administration of a program to provide grants for certain elementary and secondary students for academic achievement.

Last Action: 3-23-11 S Introduced and referred to committee on Senate Education

SB 1642 Davis, Wendy Relating to transferring primary authority for the adoption of the public school curriculum and textbooks from the State Board of Education to the commissioner of education.

Last Action: 3-23-11 S Introduced and referred to committee on Senate Education

SB 1704 Shapiro Relating to educator preparation programs.

Last Action: 3-31-11 S Not heard in committee Senate Education

SB 1729 Zaffirini Relating to the Texas Science, Technology, Engineering, and Mathematics (T-STEM) Challenge Scholarship program.

Last Action: 5-24-11 H Set on the House Calendar

SB 1753 Duncan Relating to the designation of the San Angelo State Supported Living Center as a forensic state supported living center.

Last Action: 3-23-11 S Introduced and referred to committee on Senate Health and Human Services

SB 1763 Rodriguez Relating to the transfer of adult education and literacy programs from the Texas Education Agency to the Texas Higher Education Coordinating Board.

Last Action: 5-16-11 S Placed on the Senate Calendar for

SB 1774 Williams Relating to the procedure for the adoption of an ad valorem tax rate.

Last Action: 3-23-11 S Introduced and referred to committee on Senate Finance

SB 1811 Duncan Relating to state fiscal matters.

Last Action: 5-29-11 S Point of order sustained

SB 1813 Zaffirini Relating to the state definition of public school.

Last Action: 5-20-11 S Reported from committee as substituted Senate Education

SB 1836 Van de Putte Relating to revision of open-enrollment charter school charters to add charter schools under certain circumstances.

Last Action: 3-24-11 S Introduced and referred to committee on Senate Education

SB 1858 Duncan Relating to public school finance matters, including the imposition of a state ad valorem tax for elementary and secondary school purposes.

Last Action: 3-24-11 S Introduced and referred to committee on Senate Finance

SB 1868 Davis, Wendy Relating to an allotment under the public school finance system for dropout prevention.

Last Action: 3-24-11 S Introduced and referred to committee on Senate Education

SB 1871 Davis, Wendy Relating to a contracted services program for certain students with pervasive developmental disorder or intellectual disability.

Last Action: 5-12-11 S Reported from committee as substituted Senate Education

SB 1872 Van de Putte Relating to revision of open-enrollment charter school charters to add charter schools under certain circumstances.

Last Action: 5-18-11 H Reported favorably from committee on House Public Education

SJR 5 Ogden Relating to determination of the market value of the permanent school fund and providing for certain transfers from the permanent school fund to the available school fund.

Last Action: 5-24-11 H Bill pronounced dead by procedural action

SJR 21 Patrick, DanAmendment authorizing the legislature to provide for an exemption from ad valorem taxation of the residence homestead of the surviving spouse of a 100 percent or totally disabled veteran in an amount equal to the homestead exemption.

Last Action: 3-21-11 S Committee action pending Senate Finance

SJR 27 Patrick, DanAmendment concerning the limitation on the rate of growth of state appropriations, use of surplus state revenues to provide for a rebate of state taxes, reduce public school district property taxes, and fund the state's rainy day fund.

Last Action: 3- 1-11 S Introduced and referred to committee on Senate Finance

SJR 29 Ogden Proposing a constitutional amendment requiring the provision of free textbooks to students attending private primary and secondary schools in this state.

Last Action: 3- 8-11 S Introduced and referred to committee on Senate Finance

Legislation Not Passed – 82nd 1st Called Session Texas Legislative Session

HB 6Eissler Relating to the foundation curriculum, the establishment of the instructional materials allotment, the adoption, review, and purchase of instructional materials and technological equipment for public schools, and the administration of state assessment instruments to public school students.

Last Action 6-8-11 H Committee report sent to Calendars

HB 8Eissler Relating to flexibility for public schools to administer primary and secondary education efficiently.

Last Action 6-2-11 H Referred to Public Education

HB 17 Callegari Relating to the minimum salary for and minimum service required of certain public school employees

Last Action 6-27-11 H Postponed

HB 18 Eissler Relating to elementary class size limits in public schools.

Last Action 6-12-11 S Received from the House

HB 19 Aycock Relating to hearings on public school educator contracts

Last Action 6-27-11 H Postponed

HB 20 Huberty Relating to notice required for termination of a teacher's probationary contract or nonrenewal of a teacher's term contract

Last Action: 6/27/11 H Postponed

HB 21 Shelton Relating to the reduction in force of teachers employed by a school district.

Last Action: 6-27-11 H Postponed

HB 27 Hochberg Relating to reducing costs in public school extracurricular activities

Last Action: 6/1/11 H Referred to Public Education

HB 28 Hochberg Relating to the eligibility of a student to participate in extracurricular activities or competitions after transferring or moving from one public school to another.

Last Action: 6/1/11 H Referred to Public Education

HB 29 Hochberg Relating to requirements for students to be assessed in certain subjects and in certain grades.

Last Action: 6/1/11 H Referred to Public Education

HB 31 Callegari Relating to school district personnel.

Last Action: 6-2-11 H Referred to Government Efficiency & Reform

HB 38 Guillen Relating to the optional flexible school day program provided by school districts.
Last Action: 6-7-11 H Referred to Public Education

HB 39 Shelton Relating to revising, revoking, or denying renewal of charters of open enrollment charter schools under certain circumstances
Last Action: 6-2-11 H Referred to Public Education

HB 44 Dutton Relating to the consolidation of, or detachment and annexation of territory in, certain school districts and the board of trustees of those districts.
Last Action: 6-7-11 H Referred to Public Education

HB 45 Guillen Relating to allocation of state and federal funds for adult basic education.
Last Action: 6-7-11 H Referred to Public Education

HB 48 Weber Relating to the governance of home rule school districts.
Last Action: 6-7-11 H Referred to Public Education

HB 49 Weber Relating to personal leave provided for a school district employee who is a victim of certain assaults.
Last Action: 6-7-11 H Referred to Public Education

HB 50 Weber Relating to a disciplinary proceeding for a professional employee of a school district based on the employee's use of physical force against a student.
Last Action: 6-7-11 H Referred to Public Education

HB 51 Weber Relating to the authority of school districts to suspend teachers without pay pending discharge.
Last Action: 6-7-11 H Referred to Public Education

HB 52 Weber Relating to the right to a hearing before an independent hearing examiner of a public school teacher suspended without pay
Last Action: 6-7-11 H Referred to Public Education

HB 54 Garza Relating to equal opportunity for access by private and parochial school students to University Interscholastic League sponsored activities.
Last Action: 6-7-11 H Referred to Public Education

HB 55 McClendon Relating to increasing fiscal flexibility through the provision of state aid for certain juvenile justice alternative education programs that enter into certain revenue sharing agreements.
Last Action: 6-7-11 H Referred to Corrections

HB 60 Huberty Relating to state control of teacher appraisal criteria, curriculum standards, and assessment instruments.
Last Action: 6-7-11 H Referred to Public Education

HB 61 Flynn Relating to inclusion of a course on the United States Constitution in the curriculum requirements for public high school students.
Last Action: 6-7-11 H Referred to Public Education

HB 62 Flynn Relating to the posting of the Ten Commandments in public school classrooms.
Last Action: 6-7-11 H Referred to Public Education

HB 63 Flynn Relating to a moratorium on administering assessment instruments to public school students under the public school accountability system.
Last Action: 6-7-11 H Referred to Public Education

HB 66 Zedler Relating to the availability of certain school district financial information on districts' Internet websites.

Last Action: 6-9-11 H Referred to Public Education

HB 67 Gallego | Coleman | Burnam | Castro

Relating to the entitlement of school districts and open enrollment charter schools to a certain funding level and to the appropriation of money from the economic stabilization fund to be used for public education.

HB 70 Dutton Relating to a financial exigency of a school district.

Last Action: 6-9-11 H Referred to Public Education

HB 72 Eissler Relating to certain responsibilities of education research centers and to a joint advisory board for education research centers.

Last Action: 6-9-11 H Referred to Public Education

HB 76 Harper-Brown Relating to the bilingual education and special language programs offered in public schools.

Last Action: 6-9-11 H Referred to Public Education

SB 25 Gallegos Relating to public notice and forums concerning finalists for the position of superintendent of a school district.

Last Action: 6-1-11 S Filed

SB 30 Shapiro Relating to the state virtual school network.

Last Action: 6-14-11 H Referred to Public Education

SB 31 Shapiro Relating to the guarantee of open-enrollment charter school bonds by the permanent school fund.

Last Action: 6-14-11 H Referred to Public Education

SB 33 Van de Putte Relating to revising, revoking, or denying renewal of charters of open enrollment charter schools under certain circumstances.

Last Action: 6-3-11 S Filed

SB 39 Ellis | Davis | Lucio Relating to the appropriation of money from the economic stabilization fund to be used for public education during the next state fiscal biennium.

Last Action: 6-8-11 S Filed

IX. Policy Issues

Policy Issue 1: School Finance Rulemaking

A. Brief Description of Issue

Should the agency have comprehensive rulemaking authority for the school finance system?

B. Discussion

The agency lacks comprehensive rulemaking authority for the school finance system. The absence of rulemaking authority under Chapter 42 of the Texas Education Code invites legal challenges to many aspects of that increasingly-complex system.

The school finance system consists of Chapter 41 (recapture), Chapter 42 (state aid) and Chapter 46 (facilities). Chapters 41 and 46 confer general rulemaking authority on the commissioner, (§41.006 and §46.002, respectively) but Chapter 42 grants or requires rulemaking on a section-by-section basis. Given the expansive definition of “rule” in the Texas Administrative Procedure Act, the agency is faced with risking litigation over implementation decisions made without rulemaking, or adopting rules without an explicit authorization. Most additions to Chapter 42 over the past decade have included a grant of rulemaking, but fundamental parts of the system dating back to the 1980s do not. For example, the statutes that define student eligibility and attendance for funding (§42.003 and §42.005) do not authorize rulemaking. Section 42.004 contains a general reference to State Board of Education rules but does not appear to grant that agency authority over the school finance system, either.

C. Possible Solutions and Impact

The commissioner should have the same general rulemaking authority to implement all aspects of the school finance system, which would minimize legal challenges to decisions made to implement legislation, increase transparency in agency decisions by providing notice of rulemaking and opportunity for comment, and simplify the statute. Please note that a general grant under Chapter 42 would need to recognize existing rulemaking authority in the State Board with respect to funding allotments and indirect cost allotments (§§42.151, 42.152, 42.1541 and 42.156).

Policy Issue 2: Streamlined Reports and Evaluations

A. Brief Description of Issue

Should certain agency reports and evaluations be eliminated or modified to reduce the reporting burden and cost?

B. Discussion

The Texas Education Agency is required to produce a number of reports and evaluations of school district and campus performance at different levels of aggregation and for different audiences. Of the agency reporting requirements included in the attachments, the following are some reports and evaluations that could be modified or eliminated:

1. Annual Charter School Evaluation (TEC §12.118). The agency is required to conduct an annual evaluation of open-enrollment charter schools that considers, among other factors, student performance results and charter operating costs. Funding for the evaluation is not available for the 2012-13 biennium.
2. Eliminate the requirement that TEA produce a campus report card for districts to distribute to parents in addition to the Performance Report for each campus.
3. Produce the Comprehensive Annual Report (CAR) to the legislature biennially rather than annually.
4. Modify the requirements for information to be included in the CAR.
5. Make development of performance indicators for reporting under TEC §39.301 optional.
6. HB 2237 Implementation Report (TEC §39.415). TEC §39.415 requires TEA to prepare a semi-annual legislative report detailing implementation of HB 2237 (80th Legislature). Funding for the programs under HB 2237 received no appropriations for the FY2012-13 biennium; consequently, there will be nothing to report in the upcoming biennium.

C. Possible Solutions and Impact

Recommendation: The following modifications to statutorily required reporting would reduce reporting burden and cost:

1. Eliminate the requirement that the agency produce an annual evaluation of open-enrollment charter schools. The results from the 11 evaluations conducted since 1996-97 have been consistent, showing no significant change over time.
2. Eliminate the requirement that TEA produce a campus report card for districts to distribute to parents in addition to the Performance Report for each campus. The indicators reported on the campus report card are a subset of the indicators required to be included on the Performance Report (formerly known as the Academic Excellence Indicator System (AEIS) report). Further, federal regulations require that the NCLB Report Card, which contains detailed information about the academic performance of the campus, be distributed annually to the student's parent or guardian.

3. Produce the Comprehensive Annual Report (CAR) to the legislature biennially rather than annually. Produce the report every even-numbered year before each legislative session.
4. Modify the requirements for information to be included in the CAR. Retain information on student achievement and reporting indicators described by TEC §§39.053 and 39.301; student performance on academic skills assessments required by TEC §39.023; dropout and completion rates; grade-level retention; status of the curriculum; district and campus performance; deregulation and waivers, performance of open-enrollment charters; and agency funds and expenditures.
5. Make development of performance indicators for reporting under TEC §39.301 optional. Allows the commissioner to discontinue reporting of indicators that become obsolete as new indicators are developed that are more closely aligned with the new assessment and accountability systems.
6. Eliminate the requirement that the agency prepare semi-annual reports regarding the implementation of HB 2237. HB 2237 programs have been evaluated both by internal staff and external contractors. Best practices extracted from these evaluations will continue to be used by the agency to support strategies that promote high school completion and success. Moreover, since preparation of the report takes 6-8 weeks twice a year, the elimination of the requirement will result in the availability of additional staff time and financial resources.

Policy Issue 3: High School Allotment Evaluation

A. Brief Description of Issue

Should the Texas Education Agency continue to develop standards and recognize districts and campuses that use High School Allotment funds for exceptional programs?

B. Discussion

TEC §39.233 requires TEA to develop standards for evaluating the success of the High School Allotment (Allotment) and to recognize districts and campuses that use these funds for exceptional programs.

TEA convened a committee of experts in 2006 to develop standards for evaluating the use of Allotment funds. However, the agency has no authority to require districts to adhere to these standards, nor does the agency have personnel and financial resources to evaluate district use of the Allotment using these standards. These standards have been made available to districts, and the agency has recognized districts and campuses for exceptional use of their Allotment funds based on these standards. However, few districts or campuses have expressed interest in the recognition process. Only eight districts or campuses self-nominated for this recognition during the 2009-10 school year.

C. Possible Solutions and Impact

Recommend repeal of the statute. Evaluation standards have already been developed and can be used by districts and campuses as guidelines if they choose to do so. Due to lack of interest, the recognition process does not appear to serve any purpose. Additionally, the Best Practices Clearinghouse, which also served to promote best practices involving district use of the Allotment, was not funded for the upcoming biennium and can no longer serve to promote and disseminate these exemplary practices. Consequently, elimination of the requirement to recognize districts for exceptional use of the Allotment would save agency staffing time and funds.

Policy Issue 4: High School Completion and Success Initiative Council

A. Brief Description of Issue

Should statutes authorizing the creation of the High School Completion and Success Initiative Council (Council) be repealed now that the Council has completed its charge to develop a Strategic Plan?

B. Discussion

TEC §39.402 through §39.408 established the Council and charged it with preparing a strategic plan that identifies strategic priorities for improving the effectiveness of high school completion and college readiness efforts, based on best available research. The Council committed to an aggressive agenda, meeting seven times over the course of a four month period. The Council reviewed current research and evaluation findings and consulted numerous experts on a wide range of educational issues and programs relating to postsecondary completion and success. Based on its deliberations, the Council identified strategic priorities for funding. A strategic plan to implement Council objectives was then developed. The Council's Strategic Plan was approved in March 2008 and has guided agency funding decisions since that time.

C. Possible Solutions and Impact

Given that the Council has discharged its responsibility to develop a strategic plan, the statutes governing its creation are no longer necessary. Removal of the statutes would resolve any lingering confusion about whether the Council has a continuing role in overseeing programs administered by TEA and THECB. Because the Strategic Plan was written to be both comprehensive and flexible, it has successfully served as a guide for three biennia and will continue to serve as a guide in the future.

Policy Issue 5: Plans to Increase Enrollment in Institutions of Higher Education

A. Brief Description of Issue

Should districts be required to submit a separate plan to increase enrollment in institutions of higher education?

B. Discussion

TEC §11.253 “Campus Planning and Site-Based Decision-Making” requires all districts to prepare plans that set goals and identify actions to be taken to improve student performance. TEC §39.105 “Campus Improvement Plan” requires low-performing districts to develop a separate plan designed to address areas of insufficient performance. Requirements for a third plan, referred to as the HB 400 Plan, were passed in 2001. TEC §29.904 requires districts with a high school campus, among the lowest 10 percent of schools whose graduates enroll in college, to create an action to improve college-going rates. Given the similar purposes of these plans, there is likely a high degree of overlap among the plans. Moreover, with the HB 400 plans, TEA has no authority to impose sanctions if a district fails to submit a plan, submits an inadequate plan, or fails to implement the plan, nor does TEA have the authority to monitor HB 400 plan implementation or a mechanism for determining whether such a plan is useful to districts. Additionally, there is some ambiguity as to the applicability of the HB 400 statute to charter schools, which has created some confusion about whether charters need to submit these plans.

C. Possible Solutions and Impact

Several options are available for dealing with the duplicative and unenforceable nature of the HB 400 plans. The statutory requirement for submitting the HB 400 plan could be eliminated while still allowing TEA to post on its website a plan template and resources for developing a strategy to improve college-going rates. Alternatively, a requirement could be added to either of the remaining two plans to specifically address college-going rates. Either option would save districts and TEA staff time and money.

Policy Issue 6: Communities In Schools

A. Brief Description of Issue

Should legislative changes be made to clarify that TEA may contract out functions of the Communities In Schools (CIS) State Office, while retaining oversight for the CIS program in Texas?

B. Discussion

TEC §33.154 through §33.159 detail the commissioner’s responsibilities relative to the state CIS program. TEC §33.159 specifically requires that the agency, through its Communities In Schools State Office “perform each function concerning the CIS program for which the agency is responsible.” Some of these responsibilities, such as marketing, information management, and training and technical assistance, may be discharged in a more cost-effective manner by contracting with entities that specialize in these areas.

C. Possible Solutions and Impact

Given recent reductions in agency staff, clarifying the agency’s ability to contract out such functions to both nonprofit and private entities, while retaining oversight over the performance of contractors, would provide the agency with needed staffing flexibility while ensuring the integrity of the CIS program is maintained. The ability to contract with outside experts would enable the agency to provide local CIS programs with access to a broader range of expertise than agency staff could offer. Diligent contract oversight would enable the agency to discharge these responsibilities more cost-effectively.

Policy Issue 7: Unfunded Grant and Pilot Programs

A. Brief Description of Issue

A number of statutes created grant programs that will no longer be receiving appropriated funds for the upcoming biennium. These statutes include the following:

- TEC § 21.4541 Mathematics Instructional Coaches Pilot Program
- TEC § 29.917 Higher Education and Workforce Readiness
- TEC § 29.095 Grants for Student Clubs
- TEC § 29.096 Collaborative Dropout Reduction Pilot Program
- TEC § 29.097 Intensive Technology-based Academic Intervention Pilot
- TEC § 29.098 Intensive Summer Programs
- TEC § 42.152(f) and (g) and § 29.085 Life Skills Program for Student Parents Grant

B. Discussion

Some of these statutory grant programs were established as pilots and have served the purpose of identifying best practices and effective strategies for improving high school completion and success. These programs have also confirmed the value and importance of preparing students for college and career readiness.

For the programs that were not pilots, continuation of the programs cannot be maintained without the support of state appropriated funding.

C. Possible Solutions and Impact

Recommend eliminating these specific grant programs, some of which contain highly prescriptive requirements that have not proven necessary to accomplishing the programs' overall purpose, and replacing them with general statutory language that supports best practices and effective strategies in preparing students for successful completion of high school and college and career readiness, should future funding become available.

Policy Issue 8: Master Teacher Certification and Grant Program

A. Brief Description of Issue

Should the Master Teacher programs be discontinued and the issuance of the Master Teacher certificates be suspended due to lack of program funding and low demand?

B. Discussion

The following statutes created grant programs that will no longer be receiving appropriated funds for the upcoming biennium:

- TEC § 21.410 Master Reading Teacher Grant Program
- TEC § 21.411 Master Mathematics Teacher Grant Program
- TEC § 21.412 Master Technology Teacher Grant Program
- TEC § 21.413 Master Science Teacher Grant Program

The legislature created TEC §21.0481, Master Reading Teacher Certification, in 1999. The Master teacher program was expanded in 2001 to create the Master Mathematics Teacher Certification (21.0482) and Master Technology Teacher Certification (21.0483). In 2003, the legislature created the Master Science Teacher Certification (21.0484). The certification standards involve not only mastery of content but strategies to mentor other teachers in content development and subject-specific pedagogy.

TEC 21.410, 21.411, 21.412 and 21.413 established the Master Teacher stipend grant program for certified Reading, Mathematics, and Science Master Teachers to increase the academic achievement of Texas public school students by encouraging teachers to become certified Master Teachers. The grant provided funding to districts with eligible high-need campuses to pay stipends to certified Master Teachers who mentor other teachers. The funds were disbursed as of June 30, 2011.

In the 12 years of the program's existence, average credential issuance per year is as follows: math – 28, technology – 34, science – 4, and reading – 247. Most school districts do not dedicate FTEs to mentoring other teachers, and most Master Teacher certificate holders serve as classroom teachers due to their existing teaching experience and classroom certifications. Since there are so few examinations administered, the process of maintaining calibrated committees to score the examination is costly. The cost of updating data, maintenance of the certification in the system, and committees to score the examination with such low administrative numbers, does not warrant maintaining the certificate.

C. Possible Solutions and Impact

The proposed solution is to discontinue issuing all Master Teacher certificates over two years to accommodate individuals who may be already enrolled in programs pursuing this credential. The renewal process would still be available for those who hold an existing certificate. The larger pool of candidates who want to pursue additional training in Reading can pursue the Reading Specialist certificate, which already exists. This solution would require the repeal of TEC 21.410, 21.411, 21.412 and 21.413 (grants) as well as TEC 21.0481-21.0484 (certificates).

Policy Issue 9: Adult Education Providers

A. Brief Description of Issue

Should the statute be clarified to specifically identify regional education service centers (ESCs) as an eligible adult education provider?

B. Discussion

TEC § 29.253 identifies entities eligible to serve as adult education providers. While not specifically mentioned in the statute as an eligible provider, regional education service centers (ESCs) have served in this capacity over the last eight years. Because ESCs share a similar mission and possess similar characteristics to those entities specifically mentioned in the statute, such as independent school districts, institutions of higher education, public nonprofit agencies and community-based organizations, they have served effectively in this role.

C. Possible Solutions and Impact

Adding ESCs as eligible providers to the statute would clarify their eligibility status and enable them to continue serving the state's population of individuals in need of adult basic education services. There will be no additional cost involved in clarifying the type of entities eligible to serve in this capacity.

Policy Issue 10: SBEC Rule Adoption Process

A. Brief Description of Issue

Should legislative changes be made to TEC §21.042 to expedite the process of adopting State Board for Educator Certification (SBEC or the board) rules so that the SBEC can implement revisions to educator certification policies and procedures in a more timely manner?

B. Discussion

Senate Bill 1, adopted in 1995, created SBEC as a new statewide board with responsibility to “regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators.” The administrative functions of the board were to be carried out by its own agency staff administered by an executive director appointed by the board. As a result of the 2005 sunset review process, the authority of SBEC to act as a certification rule and policymaking body was extended, but the authority to function as an independent agency to carry out the administrative services and functions of the board was not. This responsibility was transferred to the Texas Education Agency.

TEC, §21.042, added by the 1995 legislation creating SBEC, provides that all SBEC rules must be reviewed by the State Board of Education (SBOE) after adoption by the SBEC. Such SBEC-adopted rules may not be amended by the SBOE but may be rejected by a vote of two-thirds of the SBOE members present and voting. Although there is little legislative history, the 1995 rationale for this provision was apparently to ensure that SBEC did not adopt rules that were in conflict with state policy established by what was then referred to as the Central Education Agency, which consisted of the SBOE, the commissioner of education, and the TEA. However, since 2005, the commissioner of education and the TEA have been responsible for providing all certification services, have conducted stakeholder meetings, and have prepared and submitted all SBEC rule actions to the board. Thus, since the SBEC rule adoption process now incorporates substantial public and TEA input, there is little chance that the SBEC will propose rules that are not consistent with other state educational rules and policies.

Beginning in fiscal year 2012-13, there will be only four annual SBEC meetings. SBEC rule items must be presented to the board at least two times, and rules that require substantial public and stakeholder input are usually presented for discussion at another meeting before that. If the rule is up for the four-year review required by the Government Code, an additional one or two more meetings may be required. Under TEC, §21.042, SBEC rules must then be submitted to the SBOE for its opportunity to reject the rule or to take no action, and finally must be filed with the Texas Register 20 days before the effective date of the rule. Thus, the entire process, from the beginning of an SBEC rule review to the date the rule becomes effective, often requires as much as a year or more and is very difficult to complete within the rulemaking limits imposed by the Texas Government Code. As a result, the SBEC is unable to timely incorporate new legislation or new policies into its rules.

C. Possible Solutions and Impact

The repeal of the TEC, §21.042 would help expedite the SBEC rule adoption process and would not eliminate the opportunity for substantial public input regarding proposed SBEC rules.

Policy Issue 11: Administrative Investigative Subpoena Power

A. Brief Description of Issue

Should legislative amendments be made to grant to the State Board for Educator Certification (SBEC) administrative investigative subpoena power?

B. Discussion

The Texas Education Code (TEC) §21.006 requires, in certain circumstances, school superintendents to report allegations of educator misconduct to the SBEC and to provide information on the allegations in the form prescribed by SBEC. However, many school districts have taken the position that they cannot fully comply with this requirement because of two conflicting legal provisions and have refused to provide information that is essential to many SBEC investigations.

The first source of conflict is the Family Educational Rights and Privacy Act (FERPA). This federal statute allows student identifiable information to be disclosed by a school for just a few specific purposes. Unfortunately, there has been no definitive ruling regarding whether disclosure to the SBEC for purposes of an educator misconduct investigation is one of those allowed purposes. Consequently, many school districts have taken the position that FERPA does not allow them to provide the names of student witnesses and victims. This makes it virtually impossible to investigate allegations of educator sexual abuse or sexual relations with students. Responding to a subpoena is an exception to FERPA, so the grant of administrative subpoena power would allow SBEC to fulfill its statutory duty to protect students by fully investigating such allegations.

The second conflicting statute is the TEC §21.355, which provides that a document evaluating the performance of a teacher or administrator is confidential. That would not be a problem were it not for Attorney General interpretations holding that SBEC is not entitled to educator appraisals and court cases determining that a document criticizing a teacher in any way (such as a supervisor's reprimand) is confidential, even if it is not a part of the educator's formal appraisal. Prior misconduct is an important factor in evaluating the future risk that the educator poses to students, and SBEC administrative subpoena power would ensure that SBEC investigators have access to such information.

Texas Education Code (TEC) §21.031, requires that SBEC regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators. Therefore, while the law requires SBEC to regulate the conduct of certified educators and requires misconduct to be reported to SBEC, it does not provide staff with the authority to gather the relevant information to enforce those standards. A necessary element of any investigation is the gathering of evidence in the form of documentation citing the names of victims, witnesses and other involved parties. In the case of educator misconduct, school districts are very often the owners of that evidence, but after making the required report of alleged misconduct, some districts cite FERPA as a reason they cannot even provide the name of the alleged victim, despite the fact that TEC, §21.006(h) specifically requires that information to be reported. When a school district refuses to provide TEA staff with this evidence, they have in fact stymied the investigation, and this often results in administrative closure of the investigation that could have established that the educator was a continuing threat to students.

It should be noted that administrative investigative subpoena power has already been granted to other administrative state licensing agencies, for example; Board of Nursing, Real Estate Commission, Medical Board, Department of Insurance, and the Board of Pharmacy. It would seem that children of the state of Texas should have at least the same opportunity for protection as those who use the services of the licensees of those agencies.

C. Possible Solutions and Impact

The solution would be to grant administrative investigative subpoena power to the SBEC. The primary goal would be to obtain records compiled by school districts, law enforcement agencies, and child protective services that are relevant to the investigation into alleged misconduct of certified educators. This would result in agency staff being able to conduct thorough and complete investigations that are in the best interest of the safety and welfare of the school children of the state of Texas.

Policy Issue 12: Oversight of Certain School District Activities

A. Brief Description of Issue

Should the Texas Education Agency continue to oversee and monitor certain school district functions?

B. Discussion

The Texas Education Code (TEC) contains a number of provisions that require the agency to monitor and school districts to report about a number of local functions. Changes could be made to streamline or eliminate requirements in the following areas:

- TEC §11.201(c) requires a school district board of trustees to report the terms of superintendent severance payments to the commissioner and the commissioner to reduce the district's Foundation School Program (FSP) funds by any amount that the amount of the severance payment exceeds one year's salary and benefits under the superintendent's terminated contract. The TEC does not establish a requirement to report superintendent severance payments as part of any other routine reporting obligation of a school district. This results in a statutory requirement that is difficult to enforce and implemented inconsistently by school districts.
- TEC §11.254, added by the 74th Texas Legislature in 1995, requires the agency to oversee the provision of training and technical support for local site-based decision-making processes and to conduct an annual statewide survey of the types of decision-making and planning structures available at the local level. Training and support for decision-making and planning processes is readily available should a school district determine that a local need exists and seek out the support of a technical assistance provider. However, state financial support of such training programs, as provided by regional education service centers (ESCs), has been decreased significantly. Furthermore, the annual statewide survey required under subsection (b) includes elements such as the extent and involvement of various stakeholders in local planning processes and the perceptions of those stakeholders of the quality and effectiveness or decisions related to the impact on student performance. Should the agency be required to provide this level of oversight?
- TEC §42.152 establishes the compensatory education allotment and the requirement for school districts to use these funds for supplemental programs and services designed to eliminate disparities in student performance and high school completion rates. The allotment primarily is generated by the number of students in a school district determined to be educationally disadvantaged. Subsections (q) through (r) establish prescriptive requirements for the agency's monitoring and auditing of compensatory education funds. However, as resources at both the local and state levels have become more constrained, districts have been provided greater flexibility for the use of these funds. Most recently, the legislature has removed limitations on the use of these funds to support disciplinary alternative education programs (DAEPs) and has allowed for the establishment of an indirect cost allotment that provides almost unlimited flexibility on the expenditure of almost half of this allotment. Furthermore, the federal government protects the confidentiality of records used by districts to establish eligibility for these funds (National School Lunch Program records), which limits the agency's ability to determine whether districts have properly reported students as educationally disadvantaged and, thus, eligible to generate the allotment. Given these constraints and the current status of

state education funding and state agency resources, should a prescriptive monitoring and auditing process for the use of these funds continue to be required by statute?

- TEC §44.0071 requires school districts to annually compute and report to the commissioner the percentage of the district's total expenditures for the preceding year that were used to fund direct instructional activities and the percentage of full-time equivalent employees who directly provide classroom instruction to students. The section further requires local districts to at least annually provide to district employees a list of district educators determined to be engaged in direct classroom instruction. TEC §39.305 requires campus report cards (AEIS reports) to reflect the results of the computation under TEC §44.0071. At the same time, TEC §39.082(c) prevents the use of an instructional expenditure ratio calculation in the financial accountability rating system. Should the requirements of these sections be reconciled to ensure that data gathered and reported by school districts and published by the agency are necessary and, if necessary, available for use in systems of oversight and accountability?

C. Possible Solutions and Impact

Removing the statutory responsibility for complying with some or all of these provisions would reduce the administrative burden on school districts and on the agency. However, if it is deemed important for some of these processes to continue, statutory revisions and/or additional statutory guidance could result in more consistent implementation and better alignment of objectives.

If the requirement to report superintendent severance amounts under TEC §11.201(c) continues, consideration should be given to aligning this section of statute to TEC §39.083 and/or §44.001(b) to ensure that each district is required to annually report through the Public Education Information Management System (PEIMS), or some other means, the status of a superintendent's contract and any severance amount paid to a terminated or departing superintendent.

If the local decision-making training requirements under TEC §11.254 continue, it may be appropriate to remove the requirement for state oversight of the process, while maintaining a local requirement to seek related training. However, it is recommended that the state-level survey requirement be eliminated. If feedback is necessary to improve the quality of a local school district's collaborative decision-making processes, a local survey or evaluation would be a more appropriate method to gather this information.

If the compensatory education monitoring and auditing requirements under TEC §42.152 are continued, the section should be revised to better reflect the degree of programmatic flexibility currently allowed with these funds.

In regard to TEC §44.0071, a consistent policy platform should be constructed to either remove reporting requirements for data that may not be considered within the state's systems of oversight and accountability or remove prohibitions on the use of data for accountability purposes.

Policy Issue 13: Flexibility in Implementing Certain Required Sanctions

A. Brief Description of Issue

Should the Texas Education Agency have flexibility in determining appropriate sanctions/interventions for struggling districts and schools?

B. Discussion

The Texas Education Code (TEC) establishes a number of provisions that guide and/or limit the agency's actions related to district and campus sanctions and interventions. In a number of cases, additional flexibility could be provided to address the unique circumstances of certain school districts and charter schools and other issues/concerns identified through the agency's ongoing implementation of these requirements. Changes could be made in the following areas:

- TEC §13.054 allows for the annexation to one or more adjoining school districts a school district that has been rated as academically unacceptable for a period of two years. While unacceptable academic performance clearly establishes an appropriate reason for state intervention, TEC, Chapter 39, establishes other reasons for the agency's intervention in a school district. Specifically, and as referenced in TEC §39.102(a)(10), Subchapter C, Chapter 39, establishes an accreditation status system, and Subchapter D establishes a financial accountability system, each of which may contribute to a decision to close and annex a district. Should TEC §13.054 be revised to align with the authority granted under TEC §39.102(a)(10)? Furthermore, TEC §13.054 specifically allows for annexation to one or more adjoining school districts. Should the statute allow for annexation to non-adjoining school districts in certain circumstances, such as when adjoining districts are very small, serve only limited grade levels, or are themselves subject to certain agency sanctions?
- TEC §13.005 makes the effective date of a district annexation July 1 before the following school year. That effective date does not allow for the circumstances of a district that becomes insolvent during a school year, nor would any other district be required to accept and educate the students of an insolvent district. Should the commissioner be given the authority to accelerate the effective date of an annexation in when a district's financial insolvency would otherwise result in a failure to complete the current school year?
- TEC §39.0823, added by the 81st Texas Legislature in 2009, requires the agency to take certain actions to address a school district's projected deficit if the financial solvency analysis conducted under §39.0822 indicates a projected deficit for a school district general fund within the following three school years. Those actions generally involve the creation, submission, and implementation of a financial solvency plan, with a requirement for the agency to lower the school district's accreditation status if the district fails to submit a plan, obtain agency approval of the plan, or comply with the approved plan or if the agency determines in a subsequent year that the plan either is insufficient or not appropriately implemented. Should the statute establish a clearly-defined link between the required financial solvency review and available district-level sanctions under TEC §39.102 to provide additional authority for the agency to address imminent financial solvency concerns?
- TEC §39.102(a)(10)(A) references the requirements of TEC §13.054 and includes language that requires the agency, when ordering district closure, to order annexation to one or more

adjoining school districts. Should this language be revised to align with the issues raised above in relation to TEC §13.054?

- TEC §39.112(e) establishes a statutory limit on the length of the appointment by the agency of a board of managers and superintendent to a school district subject to agency sanctions. Specifically, §39.112(e) requires that an election of the members of the district board of trustees be ordered no later than the second anniversary of the date of appointment of the board of managers and that the duly elected board assume all powers and duties upon their qualification for office. Should this timeline for assignment be lengthened to allow additional time to address the substantial operational problems associated with a district that has required the assignment of a board of managers? Also, should §39.112 be revised to provide more specific guidance regarding the legislature’s intent when the agency applies this provision to an open-enrollment charter school?

C. Possible Solutions and Impact

Given the current financial landscape and the increased expectations that will be reflected in the new statewide assessment and academic accountability systems, it is likely that the agency will be called upon to intervene in a growing number of struggling districts. That being the case, additional flexibility related to the implementation of certain interventions and sanctions would increase the agency’s capacity to address unique and individual needs.

In regard to TEC §13.054 and §39.102(a)(10)(A), the word adjoining could be stricken from statute altogether, or the circumstances under which annexation to a non-adjoining district would be allowed could be defined.

Additionally, as referenced above, TEC §39.0823 could be revised to establish a clearly-defined link between the required financial solvency review and available district-level interventions and sanctions under TEC §39.102 to provide additional authority for the agency to address imminent financial solvency concerns. In certain instances, despite the development of systems to track and gauge district financial performance, issues of imminent financial insolvency can occur within a given district, and revisions to statute would allow the agency to appropriately and timely intervene.

In regard to TEC §39.112(e), the timeline for the assignment of a board of managers could be lengthened to three years to allow additional time for a board of managers to address the substantial operational problems associated with their assignment. This extension of time would align with the campus intervention provisions of Chapter 39, which allow a reconstituted campus three years to display improved performance before an “ultimate” campus sanction is required under TEC §39.107(e). In 2009, in response to public input regarding the length of time it takes to turn around an underperforming campus, House Bill 3 amended this section of statute to allow one additional year after reconstitution for a campus to achieve improvement. A similar extension could be considered as it relates to the assignment of a board of managers.

Furthermore, TEC §39.112 could be revised to address the legislature’s intent in the application of a board of managers to an open-enrollment charter school. The governing boards of charter schools are not elected. Therefore, while §39.112(e) contemplates the election and installation of a new board of trustees after the timeline for appointment of a board of managers expires, it is possible, or even likely, in the case of a charter school for the governance structure in place prior to the appointment of a board

of managers to remain exactly the same after the removal of the assigned board. This creates a strong probability or likelihood of continuing operational and performance concerns in the charter school. A revision to this section to clarify legislative expectations regarding the timelines for removal of a board of managers assigned to a charter school and the composition of the governing board upon removal could address these issues.

Policy Issue 14: Charter School Establishment and Operations

A. Brief Description of Issue

Should certain requirements for the establishment and operation of charter schools be revised?

B. Discussion

The Texas Education Code (TEC) establishes the parameters for the establishment and operation of charter schools. However, the statute as it is currently structured does not provide for trial periods of operation or the automatic revocation of charter contracts based upon defined patterns of poor performance. Additionally, in some cases the current statute may not adequately address the distinctions between open-enrollment charter schools and traditional districts and the resource obligations of the state in supporting and overseeing charter schools. In a number of cases, additional specificity could be provided to address the unique circumstances of charter schools and other issues/concerns identified through the agency's ongoing implementation of charter requirements. Changes could be made in the following areas:

- TEC §12.101 establishes the process by which a contract for charter is granted by the State Board of Education (SBOE). The issuance of a charter contract conveys a property right to the charter holder and establishes legal and due process requirements that can result in costly and protracted litigation before the contract for an underperforming charter is returned to the state. Should the statute establish initial trial periods of operation to assess performance before a charter contract is granted and/or should automatic performance triggers be included in statute to allow for automatic charter revocation if certain performance standards are not met?
- TEC, Chapter 39, establishes frameworks for accountability, accreditation, interventions, and sanctions for both traditional districts and charter schools. However, in some instances, the statute does not clearly address certain issues that arise as a result of basic structural differences between traditional districts and charter schools. One of the most significant examples is the difference in the governance structure established for these two different types of educational entities. The TEC provides defined parameters for the election of a board of trustees to govern traditional school districts. Open-enrollment charter schools, on the other hand, generally are overseen by the governing board of the nonprofit entity that holds the charter. These board members are not elected, and the bylaws that govern these entities often allow for indefinite terms and/or the appointment of new members by majority vote. This structure at times results in a lack of board oversight for charter operations and creates challenges in the agency's implementation of interventions to address operational concerns. Should the statute be revised to grant authority to the agency to intervene in charter school governance by reconstituting or removing a governing board to provide for effective governance and operations?
- Each time an additional charter contract is granted by the SBOE, an additional school district is created and, with it, an obligation of the agency to interact with that local education agency on multiple levels, ranging from state funding to textbooks, grants, accountability, and monitoring, resulting in certain "fixed costs" associated with each new school. Smaller charters also struggle to comply with the many state and federal requirements and reports. Should the statute create incentives or systems that require a minimum charter school size to provide for a more efficient use of resources at the state and local level?

C. Possible Solutions and Impact

Possible statutory changes to address the issues referenced above may include provisions for the establishment and oversight of charter schools that would: (1) provide for an initial review period before a charter contract is granted to allow for a review of initial performance; (2) allow for automatic revocation of a charter contract if certain performance standards are not met; (3) grant the agency the authority to intervene in charter school governance by reconstituting or removing a governing board to provide for effective governance; and/or (4) create incentives or systems that require a minimum charter school size to provide for the more efficient use of financial and compliance resources. These changes would be reflected in TEC, Chapter 12 and Chapter 39.

In specific regard to item (3) above concerning school governance, when charter schools encounter serious performance and compliance problems and are subject to sanctions, the problems often stem from lack of oversight by the charter holder governing board. As a result, it can be difficult to produce meaningful and lasting changes using the current sanction and intervention structure available under Chapter 39. Providing the agency with the authority to reconstitute or remove a charter holder governing board or transfer a charter to a different nonprofit corporation could address some of these concerns and preclude the need for more extensive sanctions. Additionally, it may be appropriate to consider whether TEC §12.1055(b) should be revised as it relates to exceptions to the applicability of nepotism laws to charter schools. At the present time, academic performance alone is considered in determining whether a charter school must comply with nepotism requirements. It may be appropriate to take into consideration other issues of financial, compliance, and accreditation performance in determining whether this exception should be allowed.

Some of these governance concerns also may be addressed by revisions to TEC §39.112 to clarify the legislature's intent in the application of a board of managers to an open-enrollment charter school. While §39.112(e) contemplates the election and installation of a new board of trustees after a board of managers appointment expires, it is possible, or even likely, in the case of a charter school for the governance structure in place prior to the appointment of a board of managers to remain exactly the same after the removal of the assigned board. This creates a strong probability or likelihood of continuing operational and performance concerns in the charter school. A revision to this section to clarify legislative expectations regarding the composition of the governing board upon removal of a board of managers could address some of the identified concerns.

Policy Issue 15: Charter School Property

A. Brief Description of Issue

Should the state's interest in charter school property be better defined and a process created to legally assert a state claim against the title to property when a charter school ceases to operate?

B. Discussion

TEC §12.128 provides that "property purchased or leased" with state funds "is considered to be public property for all purposes under state law" and authorizes the commissioner to "take possession and assume control" of property of a charter that ceases to operate and "supervise the disposition" of that property. That statute has raised questions as to the legal title to such property, whether it can be pledged as collateral, and priority against creditors of the charter. The statute is also unclear as to whether it applies to all property interests or solely to real property, and whether it creates a state interest in property owned by a charter holder that is improved or leased with state funds.

C. Possible Solutions and Impact

Provide clarification of the state's interest in charter school property.

Policy Issue 16: Regional Day School Program for the Deaf (RDSPD) Eligibility

A. Brief Description of Issue

Should student eligibility criteria for the RDSPD be established?

B. Discussion

For many years, local admission, review, and dismissal (ARD) committees and RDSPD Shared Services Arrangements (SSAs) have determined which students received services at the RDSPD. This determination and/or eligibility criteria has varied significantly across the 52 programs. Some LEAs serve all their students who are deaf or hard of hearing in the RDSPD, while other LEAs serve their students in a true continuum of services, which includes general and special education services, RDSPD, and TSD. TEC §30.083(a)(2) calls for the provision of appropriate services in student's home districts or in the RDSPD. At the heart of this issue, is whether all eligible students in need of an RDSPD have real access to such a program. A related issue is whether legislative funding is used in the most effective manner when students who may be served in other educational environments are provided services through the RDSPD. The number of students with severe to profound hearing loss in the state is estimated to be 3,400 while the number of students currently served through the RDSPD is currently 4,621. 19 TAC §1080 defines eligibility related to a hearing loss which severely impairs processing linguistic information through hearing, even with recommended amplification, and which adversely affects educational performance. It is estimated, however, that up to 1,500 students have hearing losses in the normal to moderate range.

C. Possible Solutions and Impact

Options: 1) Legislature clarifies RDSPD student eligibility; and/or 2) the Legislature directs the commissioner to establish student eligibility criteria through rulemaking (TEC Chapter 30, Subchapter D). The more flexible of these two options, would be for the Legislature to provide the commissioner with specific rulemaking authority to establish rules regarding RDSPD student eligibility.

Depending upon the content of the definition, it is possible that some students currently served in an RDSPD, might not be eligible for such services in the future. A possible solution to this impact is to grandfather certain students based on their age and educational history, and create a plan for other ineligible students to transition to district-provided programs. Collaboration between LEAs and RDSPD personnel would be crucial to ensure that all students who are deaf or hard of hearing receive appropriate services. In many districts, the RDSPD personnel are the only staff members with knowledge about the educational needs of deaf and hard of hearing students. The RDSPD staff could mentor other district staff and help them determine appropriate services for students ineligible for RDSPD placement. Modern technology has greatly increased the potential of students identified with hearing loss while in infancy to benefit from traditional education approaches that would be provided for general education students meaning that a transition plan to move primary grade-level students into more traditional educational programs is also a very real possibility.

Policy Issue 17: SSA Contract Approval by the Commissioner (Agency)

A. Brief Description of Issue

Should the commissioner approval of shared services arrangement (SSA) contracts be eliminated?

B. Discussion

For many years local education agencies (LEAs) have come together to jointly operate (written contract) their special education services and supports by forming shared services arrangements (SSA). Federal and state law have allowed for and encouraged the creation of these SSAs. State statute (TEC §29.007) has required that the commissioner of education approve the SSA contract. Because of multiple reductions in force over several years the division/unit of responsibility has required as a condition of submitting an SSA contract, that the fiscal agent of the SSA have their school attorney review the contract to ensure the contract contains all the appropriate sections/provisions, and most importantly provisions for when the SSA is dissolved or when a member leaves.

C. Possible Solutions and Impact

Option 1: Eliminate commissioner (agency) approval of SSA Contracts, but require Fiscal Agent and Member LEAs to submit SSA configuration once (date certain after effective date of bill), and only submit (on a date determined by the commissioner) the SSA configuration when a change is made (TEC §29.007)

Option 2: If the member LEAs of the SSA agree to the contents of the contract, and the provisions of the contract do not violate the provisions of IDEA or State Law, it seems unnecessary for the agency to review the contract. However, it is still important that agency receive configuration information for funding proposes.

Option 3: Eliminate the need for contract review and approval by the commissioner (agency). Continue to require the submission of the SSA configuration and a copy of the attorney's certification letter (assure the contract contains all necessary provision, and the provisions do not violate provisions of federal and state law).

Policy Issue 18: Driver Training

A. Brief Description of Issue

Should the Texas Education Agency be responsible for regulating the private industry that delivers driving safety and driver education courses to the public?

B. Discussion

Until 1989, the Texas Department of Public Safety was responsible for regulating a private industry that serves two distinct sets of customers that have minimal connection to the core mission of public education: (1) Private Driver Education and (2) Driving Safety Students. In 1989, the Texas Education Agency was charged with regulation of this industry pursuant to Art 4413 (29c), Tex. Rev. Civ. Stat. (1989) (amended by Acts 1989, 71st Leg., ch. 813, § 4.28, eff. Sept. 1, 1989). The 78th Texas Legislature codified Art 4413 (29c), Tex. Rev. Civ. Stat., as Texas Education Code, Chapter 1001.

Private Driver Education Students. Private driver education students are enrolled in a non-vocational course that prepares them to take the written and practical driving tests that lead to a driver's license. For example, many school districts do not offer driver education to their students. Also, many Texas teenagers (and adults) are not enrolled in public schools and must take their required training through private vendors.

Driving Safety Students. The Texas Legislature has authorized the judges of this state to reduce or dismiss penalties for traffic-related offenses on condition that the offender takes a prescribed course in driving safety. The term "driving safety" refers to a course that is eligible for such ticket reduction treatment as well as a mandatory insurance discount. These students are generally adults and not enrolled in the public school system.

TEA Mission. In 1989, the Texas Education Agency (TEA) was assigned the function of regulating the private industry that delivers driving safety and driver education courses to these two customer groups. Experience has shown that the public education culture that is proper to the core mission of the TEA is not necessarily a good fit with the regulatory culture that is necessary for the proper oversight of these private sector, for-profit industries. The administrative levels of the TEA are traditionally staffed by experienced educators and others with a skill set and a knowledge base that is appropriate to its core mission of public education. They are not necessarily equipped for or experienced with the kind of regulatory oversight that is required to administer a private sector, for-profit industry. The Driver training program is a routine occupational licensing program, whose primary focus is the processing of license applications and the investigation of consumer complaints. Currently, the Region XIII Education Service Center provides staffing for this function. However, TEA still bears much of the administrative burden for driver training such as: rulemaking, administrative hearings, financial transactions and legal counsel. The regulated for-profit industry does not receive state or federal funds that are required to be audited by the agency.

Public School Driver Education. The TEA is charged with the responsibility of developing, as part of the Texas Essential Knowledge and Skills (TEKS), an optional program for teenage public school students to receive the driver education training necessary to sit for the Texas driver's license examination. This

function belongs to the TEA to the extent that public school districts are authorized to deliver driver education instruction as part of the public school curriculum. See TEC §29.902 (2009).

C. Possible Solutions and Impact

A possible option would be modifying the statutory provision establishing the TEA as the agency responsible for regulating the private industry that delivers driving safety and driver education courses to the public. This recommendation would allow the TEA to focus its limited resources on its primary mission, public education. It would permit another state agency, such as the Texas Department of Licensing and Regulation, whose primary mission is more closely aligned with regulation of private sector, for-profit industries, or the Texas Department of Public Safety, whose primary mission is more closely aligned with traffic safety issues, to focus on the task of regulating the private industry that delivers driving safety and driver education courses to the public.

Policy Issue 19: Foreign Exchange Waivers

A. Brief Description of Issue

Should the statute allowing districts to receive waivers from admitting foreign exchange students be repealed?

B. Discussion

TEC §25.001(b)(6) establishes a process whereby the commissioner grants school districts waivers to allow districts to deny the admission of foreign exchange students. Under federal law, for a student to obtain a visa as a foreign exchange visa, the student must have an acceptance form signed by a school willing to admit the student. School districts can control the number of foreign exchange students officially in the district by limiting the number of acceptance forms signed. For various reasons, a foreign exchange student sometimes ends up living in a district that did not sign an acceptance form for the student. In that case, the student is entitled to enroll as a current district resident regardless of whether the district has a foreign exchange waiver. For these reasons, the waiver process yields no significant benefit to districts or foreign exchange students.

C. Possible Solutions and Impact

Repeal the foreign exchange waiver provision in TEC §25.001(b)(6).

Policy Issue 20: Bilingual Program Exit Process

A. Brief Description of Issue

Should statutory changes be made to clarify the role of parental consent in the bilingual program exit process?

B. Discussion

TEC §29.056(a) provides that “[t]he student’s parent must approve a student’s entry into the program, exit from the program, or placement in the program. The school district . . . may appeal the decision under Section 29.064.” However, TEC §29.064 only addresses appeals by parents, creating confusion regarding the appropriate process if a district Language Proficiency Assessment Committee (LPAC) recommends that a student exit a bilingual program but the parent does not give consent.

The opinion of the TEA Office of Legal Services is that the district must continue providing bilingual education services in that circumstance pending appeal of the parent’s decision to the commissioner. The appropriate appeal process and standard of review is not specified. Pending the appeal, the services provided would be determined by the LPAC. Under 19 TAC §89.1240(b), the student would not qualify for inclusion in the bilingual education allotment.

C. Possible Solutions and Impact

Clarify whether a school district must appeal a parent’s non-consent for a student’s exit in order to exit a student from the program and the process for the appeal.

X. Other Contacts

Please note that Section X is broken into two sections, one for the State Board of Educator Certification (SBEC), and one for the State Board of Education (SBOE). The question headers have been modified to reflect which policymaking body is being discussed.

A. Fill in the following chart with updated information on people with an interest in your agency, and be sure to include the most recent e-mail address.

Texas Education Agency – State Board of Educator Certification (SBEC)			
Exhibit 15: Contacts			
INTEREST GROUPS (Affiliated with SBEC)			
(groups affected by agency actions or that represent others served by or affected by agency actions)			
Group or Association Name/ Contact Person	Address	Telephone	E-mail Address
Consortium of State Organizations for Texas Teacher Education (CSOTTE)/Michael Rosato	Howard Payne University 1000 Fisk Ave. Brownwood, TX 76801	325-649-8203	mrosato@hputx.edu
Education Deans of Independent Colleges and Universities of Texas (EDICUT)/Dr. Marlene Zipperlen	University of Mary Hardin Baylor 900 College St. Belton TX 76513	254-295-4574	mzipperlen@umhb.edu
Texas Alternative Certification Association (TACA)/Rae Queen	11550 I-10 West, #280, San Antonio, TX 78730	210-877-1975	raethequeen@aol.com
Texas Association of Certification Officers (TACO)/Carole Preston	The University of Texas at San Antonio One UTSA Circle San Antonio, TX 78249	210-458-4011	Carole.Preston@usta.edu
Texas Association of Colleges for Teacher Education (TACTE)/Dr. Dana Hood	Abilene Christian University ACU Box 29008 Abilene, Texas 79699-8228	325-674-2960	hoodd@acu.edu
Texas Association for Health, Physical Education, Recreation and Dance (THAERD)/Dr. Diana Everett	7910 Cameron Road Austin, TX 78754	512-459-1299	diana@tahperd.org
Texas Coordinators for Teacher Certification Testing (TCTCT)/Karen Smith	Sam Houston University Box 2119 Huntsville, TX 77343	936-264-1111	edu_kss@shsu.edu
Texas Association of Early Childhood Teacher Educators (TACTE)/Dr. Kathy Morrison	University of Texas at Tyler 3900 University Blvd. Tyler, Texas 75799	903-566-7016	kmorrison@uttyler.edu
Texas Directors of Field Experience(TDFE)/Brian Miller	Sam Houston State University Box 2119 Huntsville, TX 77343	935-294-1041	brianmiller@shsu.edu
Texas Association for Teacher Educators/Karen Estes	University of Mary Hardin Baylor 900 College St. Belton TX 76513	(254) 295-4183	kestes@umhb.edu
INTERAGENCY, STATE, OR NATIONAL ASSOCIATIONS (Affiliated with SBEC)			
(that serve as an information clearinghouse or regularly interact with your agency)			
Group or Association Name/ Contact Person	Address	Telephone	E-mail Address
National Council for Accreditation of Teacher Education	2010 Massachusetts Ave. NW #500, Washington, DC 20036	202-466-7496	shari@ncate.org

(NCATE)/Shari Francis			
National Association of State Directors of Teacher Education and Certification (NASDTEC)/Michael Carr	1225 Providence Rd. PMB 116, Whitinsville, MA 01588	508-380-1202	Mike.carr@ky.gov
Texas Comprehensive Center for Teacher Quality (NCCTQ)/Haidee Williams	4700 Mueller Blvd. Austin TX 78723	512-476-6861	Haidee.williams@sedl.org
TX Elementary Principals and Supervisors Association (TEPSA)/Harley Eckhart	501 East 10th Street, Austin, Texas 78701	512-478-5268	Harley@tepsa.org
TX Association of Secondary School Principals (TASSP)/Archie McAfee	1833 South IH35, Austin, TX 78741	512-443-2100	Archie@tassp.org
TX Association of School Personnel Administrators (TASPA)/Melva Cardenas	406 E. 11 th , #305, Austin, TX 78701	512-464-9353	mcardenas@taspa.org
TX Association of School Administrators (TASA)/Casey McCreary	406 E. 11 th , Austin, TX 78701	512-477-6361	cmccreary@tasanet.org
TX Association of School Boards (TASB)/Holly Claghorn	P.O. Box 400, Austin, TX 78767	512-467-0222	Holly.claghorn@tasb.org
TX Parent Teacher Association	408 W. 11 th , Austin, TX 78701	512-476-6769	txpta@txpta.org
Association of TX Professional Educators (ATPE)/Jennifer Canaday	305 E. Huntland Dr., #300, Austin, TX 78752	512-467-0071	jcanaday@atpe.org
TX Classroom Teachers Association (TCTA)/Julie Leahy/Holly Eaton	P.O. Box 1489, Austin, TX 78767	512-477-9415	jleahy@tcta.org heaton@tcta.org
TX State Teacher's Association (TSTA)/Portia Bosse	316 W. 12 th , Austin, TX 78701	877-275-8782	portiab@tsta.org
Stand for Children/Priscilla Aquino-Garza	1524 IH 35, #310, Austin, TX 78704	512-501-2340	paquinogarza@stand.org
TX Affiliate of American Federation of Teachers (Texas AFT) /Patti Quinzi	2300 S. IH 35, #175 Austin, TX 78704	512-448-0130	pquiniz@texasaft.org
United Educators Association (UEA Texas)/Cheryl Rauscher	4800 S E Loop 820, #200 Ft. Worth, TX 76140	817-572-1082	Cheryl@ueatexas.com
Texas Association of School Business Officials (TASBO)/Becky Bunte	2538 S. Congress Ave, Austin, TX 78704	512-462-1711	bbunte@tasbo.org
LIAISONS AT OTHER STATE AGENCIES (Affiliated with SBEC) (with which your agency maintains an ongoing relationship, e.g., the agency's assigned analyst at the Legislative Budget Board, or attorney at the Attorney General's office)			
Agency Name/Relationship/ Contact Person	Address	Telephone	E-mail Address
Office of the Attorney General /Ellen Sameth	P.O. Box 12548, Austin 78711-2548	(512) 936-1838	ellen.sameth@oag.state.tx.us

Texas Education Agency – State Board of Education (SBOE)

Exhibit 15: Contacts

INTEREST GROUPS (Affiliated with SBOE)

(groups affected by agency actions or that represent others served by or affected by agency actions)

Group or Association Name/ Contact Person	Address	Telephone	E-mail Address
Association of Texas Professional Educators/Doug Rogers	305 E. Huntland Dr . #300 Austin 78757	512 454-4816	drogers@atpe.org
Equity Center/Elizabeth Montgomery	1220 Colorado St. #300 Austin 78701	512 478-7313	Montgomery@equitycenter.org
Texas AFT/Ted Melina Raab	3000 S. IH 35 #175 Austin 78704	512 448-0130	tmelinaraab@texasaft.org
Texas Association of Secondary School Principals/Archie McAfee	1833 S. IH 35 Austin 78741	512 443-2100	amcafee@TASSP.org
Texas Charter School Association/Teresa Elliott	700 Lavaca St. Austin 78701	512 584-8272	telliott@txcharterschools.org
Texas Elementary Principals & Supervisors Association//Trae Kendrick	501 E. 10 th St. Austin 78701	512 478-5268	Trae@tepsa.org
Texas Music Educators Association/Robert Floyd	P.O. Box 140465 Austin 78714	512 452-0710	rfloyd@tmea.org
Texas School Alliance/Lynn Moak	400 West 15 th #1410 Austin 78701	512 485-7878	lmoak@moakcasey.com
Texas School Public Relations Association/Lindsae Snider	406 E. 11 th St. #101 Austin 78701	512 474-9107	lsnider@tspra.org
Texas State Teachers Association/Richard Kouri	316 W. 12 th St. Austin 78701	512 476-5355	Richark@tsta.org
University Interscholastic League/Bill Farney	1701 Manor Rd. Austin 78722	512 471-5883	Bfarney@mail.uil.utexas.edu
Texas Association of School Administrators/Casey McCreary	406 E. 11 th St. Austin 78701	512 477-6361	cmccreary@tasanet.org
Texas Association of School Boards/James Crow	12007 Research Blvd. Austin 78758	512 467-0222	Jim.crow@tasb.org
Texas Classroom Teachers Association/Jeri Stone	P.O. Box 1489 Austin 78767	512 477-9415	jeri@tcta.org
Texas Association for Health, Physical Education, Recreation and Dance/Diana Everett	7910 Cameron Rd. Austin 78754	512 459-1299	Diana@tahperd.org
Texas Parent Teacher Association/Carrie Mays	408 W. 11 th St. Austin 78701	512 476-6769	txpta@txpta.org
Texas Association of School Personnel Administrators/Melva Cardenas	406 E. 11 th St. #305 Austin 78701	512 464-9353	mcardenas@taspa.org
Texas Freedom Network/Dan Quinn	P.O. Box 1624 Austin 78767	512 322-0545	dan@tfn.org
Vocational Agriculture Teachers of Texas/Gerald Young	614 E. 11 th St. Austin 78701	512 472-3128	Gerald@vatat.org
Texas Counseling Association/Jan Friese	1204 San Antonio #201 Austin 78701	512 472-3403	jan@txca.org
Texas Industrial Vocation Association/Linda Holcombe	316 W. 12 th St. #317 Austin 78701	512 478-0761	linda@tiva.org
Texas Council of Administrators of Special Education/Theresa Parsons	406 E. 11 th St. #312 Austin 78701	512 474-4492	Theresa@tcase.org
Texas Association for Supervision and Curriculum Development/Yolanda Rey	1601 Rio Grande #451 Austin 78701	512 477-8200	ymrey@txascd.org

Texas Association for Gifted & Talented/Tracy Weinberg	1524 S IH 35 #205 Austin 78704	512 499-8248	tweinberg@txgifted.org
LIAISONS AT OTHER STATE AGENCIES (Affiliated with SBOE) (with which your agency maintains an ongoing relationship, e.g., the agency's assigned analyst at the Legislative Budget Board, or attorney at the Attorney General's office)			
Agency Name/Relationship/ Contact Person	Address	Telephone	E-mail Address
Governor's office/Kalese Hammonds	P.O. Box 12428 Austin 78711	512 463-2000	Kalese.hammonds@governor.state.tx.us
House Speaker/Andrea Sheridan	P.O. Box 2910 Austin 78768	512 463-1292	Andrea.sheridan@speaker.state.tx.us
Lieutenant Governor/Caasi Lamb	1200 Congress Ave. Austin 78701	512 463-0001	Caasi.Lamb@ltgov.state.tx.us
Texas Legislative Council/Chris Mattsson	P.O. Box 12128 Austin 78711	512 463-1151	Chris.Mattsson@tlc.state.tx.us
Legislative Budget Board/John McGeary	P.O. Box 12666 Austin 78711	512 463-1200	john.mcgeary@lbb.state.tx.us
Comptroller/Gary Price	P.O. Box 13528 Austin 78711	512 463-4444	Gary.price@cpa.state.tx.us

XI. Additional Information

- A. Fill in the following chart detailing information on complaints regarding your agency. Do not include complaints received against people or entities you regulate. The chart headings may be changed if needed to better reflect your agency's practices.**

Texas Education Agency Exhibit 16: Jurisdictional Complaints Against the Agency Fiscal Years 2009 and 2010		
	FY 2009	FY 2010
Number of complaints received	5	10
Number of complaints substantiated	0	0
Number of complaints withdrawn/not substantiated	5	10
Number of complaints pending from prior years	0	0

- B. Fill in the following chart detailing your agency's Historically Underutilized Business (HUB) purchases.**

Texas Education Agency Exhibit 17: Purchases from HUBs				
FISCAL YEAR 2008				
Category	Total \$ Spent	Total HUB \$ Spent	Percent	Statewide Goal
Heavy Construction	\$ -	\$ -	0%	11.9%
Building Construction	\$ -	\$ -	0%	26.1%
Special Trade	\$ 40,126	\$ -	0%	57.2%
Professional Services	\$ 690,806	\$ 28,950	4.19%	20.0%
Other Services	\$ 143,466,426	\$ 11,083,377	7.72%	33.0%
Commodities	\$ 5,641,187	\$ 733,908	13.00%	12.6%
TOTAL	\$ 149,838,546	\$ 11,846,235	7.91%	
FISCAL YEAR 2009				
Category	Total \$ Spent	Total HUB \$ Spent	Percent	Statewide Goal
Heavy Construction	\$ -	\$ -	0%	11.9%
Building Construction	\$ -	\$ -	0%	26.1%
Special Trade	\$ 19,641	\$ 15,363	78%	57.2%
Professional Services	\$ 552,787	\$ 16,366	2.96%	20.0%
Other Services	\$ 145,563,507	\$ 14,963,856	10.20%	33.0%
Commodities	\$ 2,675,266	\$ 643,288	24.00%	12.6%
TOTAL	\$ 148,811,204	\$ 15,638,873	10.50%	

FISCAL YEAR 2010				
Category	Total \$ Spent	Total HUB \$ Spent	Percent	Statewide Goal
Heavy Construction	\$ -	\$ -	0%	11.9%
Building Construction	\$ -	\$ -	0%	26.1%
Special Trade	\$ 52,406	\$ 51,075	97.4%	57.2%
Professional Services	\$ 264,139	\$ 30,120	11.4%	20.0%
Other Services	\$ 167,408,263	\$ 17,536,445	10.4%	33.0%
Commodities	\$ 3,046,239	\$ 462,584	15.1%	12.6%
TOTAL	\$ 170,771,048	\$ 18,080,225	10.5%	

C. Does your agency have a HUB policy? How does your agency address performance shortfalls related to the policy? (Texas Government Code, Sec. 2161.003; TAC Title 34, Part 1, rule 20.15b)

TEA is committed to assisting Historically Underutilized Businesses (HUBs) in providing equal opportunities to compete for all procurement opportunities within the agency. TEA has adopted the HUB rules under Section 2161.002 as the agency's own rules. It is TEA's policy to promote and encourage contracting and subcontracting opportunities for HUBs in all contracts.

TEA is active in community outreach efforts to inform minority-owned businesses about contracting opportunities with the agency and to link them with the Comptroller's State Hub Program or local minority to complete the HUB certification process. Outreach venues include, but are not limited to, Economic Opportunity Forums, Specialized Forums, vendor presentations to agency procurement staff, and informing outreach participants about the Mentor-Protégé program. The agency takes special interest in soliciting and informing underutilized HUB groups about procurement opportunities with its largest prime vendors.

TEA is currently working with the prime vendors awarded the largest contracts to increase HUB participation by helping to identify and create opportunities for HUB subcontractors. TEA continues to work towards increasing HUB utilization and increase our HUB procurement goals and agency dollars spent with HUB vendors continues to increase.

D. For agencies with contracts valued at \$100,000 or more: Does your agency follow a HUB subcontracting plan to solicit bids, proposals, offers, or other applicable expressions of interest for subcontracting opportunities available for contracts of \$100,000 or more? (Texas Government Code, Sec. 2161.252; TAC Title 34, Part 1, rule 20.14)

It is the policy of the TEA to promote and encourage contracting and subcontracting opportunities for HUBs in all contracts. Accordingly, TEA has adopted the Policy on Utilization of HUBs and therefore, a HUB Subcontracting Plan (HSP) is a required element of the Proposal response. The Purchasing and Contracts Division integrated the requirement for a full subcontracting plan for all proposals over \$100,000.

If the TEA Contracts staff determines that subcontracting opportunities are probable, then an HSP is a required element of the proposal response (the Contracts staff may include an HSP for a contract under

\$100,000 if the services warrant the use of subcontractors). Failure to submit a required HSP will result in rejection of a contractor's proposal.

E. For agencies with biennial appropriations exceeding \$10 million, answer the following HUB questions.	
	Response / Agency Contact
1. Do you have a HUB coordinator? (Texas Government Code, Sec. 2161.062; TAC Title 34, Part 1, rule 20.26)	The agency does have a designated HUB coordinator. Norma Barrera is the agency HUB Coordinator.
2. Has your agency designed a program of HUB forums in which businesses are invited to deliver presentations that demonstrate their capability to do business with your agency? (Texas Government Code, Sec. 2161.066; TAC Title 34, Part 1, rule 20.27)	Outreach venues include, but are not limited to, Economic Opportunity Forums, Specialized Forums, Spot Bid Fairs, agency HUB Fairs, and vendor presentations to agency procurement staff.
3. Has your agency developed a mentor-protégé program to foster long-term relationships between prime contractors and HUBs and to increase the ability of HUBs to contract with the state or to receive subcontracts under a state contract? (Texas Government Code, Sec. 2161.065; TAC Title 34, Part 1, rule 20.28)	TEA currently has one (1) mentor-protégé team but has had as many as five (5) teams over the last two years. TEA's Mentor-Protégé Program was featured in the June 2011 issue of the Comptroller's HUB Program newsletter.

F. Fill in the chart below detailing your agency's Equal Employment Opportunity (EEO) statistics. (The Service/Maintenance category includes three distinct occupational categories: Service/Maintenance, Para-Professionals, and Protective Services. Protective Service Workers and Para-Professionals are no longer reported as separate groups. Please submit the combined Service/Maintenance category totals, if available.)

Texas Education Agency							
Exhibit 18: Equal Employment Opportunity Statistics							
FISCAL YEAR 2008							
DATA UNAVAILABLE							
FISCAL YEAR 2009							
Job Category	Total Positions	Minority Workforce Percentages					
		Black		Hispanic		Female	
		Agency	Civilian Labor Force %	Agency	Civilian Labor Force %	Agency	Civilian Labor Force %
Officials/Administration	66	10.6%	9.0%	10.6%	23.7%	60.6%	38.8%
Professional	865	11.2%	11.7%	22.8%	19.9%	67.7%	54.5%
Technical	26	0.0%	17.0%	7.7%	27.0%	26.9%	55.6%
Administrative Support	27	25.9%	13.2%	44.4%	31.9%	77.7%	66.2%
Service/Maintenance	N/A	N/A	12.8%	N/A	44.8%	N/A	39.7%
Skilled Craft	N/A	N/A	5.1%	N/A	46.9%	N/A	5.1%

FISCAL YEAR 2010							
Job Category	Total Positions	Minority Workforce Percentages					
		Black		Hispanic		Female	
		Agency	Civilian Labor Force %	Agency	Civilian Labor Force %	Agency	Civilian Labor Force %
Officials/Administration	73	10.6%	7.5.0%	10.6%	21.17%	60.6%	37.5%
Professional	873	11.2%	9.7%	22.8%	18.8%	67.7%	53.3%
Technical	85	0.0%	13.9%	7.7%	27.1%	26.9%	53.9%
Administrative Support	27	25.9%	12.7%	44.4%	31.9%	77.7%	67.1%
Service/Maintenance	N/A	N/A	14.4%	N/A	49.9%	N/A	39.1%
Skilled Craft	N/A	N/A	6.6%	N/A	46.3%	N/A	6.0%

G. Does your agency have an equal employment opportunity policy? How does your agency address performance shortfalls related to the policy?

Our agency does have an equal employment opportunity policy. The agency's goals are to attract and retain a workforce that enables TEA to accomplish its mission. In addressing performance shortfalls related to our EEO policy, TEA is currently using an on-line posting and recruiting system. This system creates national exposure for TEA's job opportunities. Additional job advertising in educational and professional association publications is used to target applicants with the professional knowledge, skill set and expertise for specific employment opportunities at the agency.

XII. Agency Comments

As was the case during the Texas Education Agency's last Sunset review in 2003-04, the agency is in a period of transition. That transition is reflected in the implementation of new policy directions from the legislature in most, if not all, of the agency's key functions and from the more than 30 percent reduction in force and subsequent reorganization, which comes as a result of significant cuts to the agency's budget in the 82nd Legislative Session. The effects of this transition will be evident in the Sunset review process and in conversations with agency staff in the coming months.

Since the 3rd Called Session of the 79th Legislature in 2006, the legislature has systemically enacted dramatic policy changes across the agency's core functions. The continuity of executive and legislative leadership has sustained a series of important reforms emphasizing postsecondary readiness in the state's curriculum standards, instructional materials, assessments, and the state accountability system. While the reforms surrounding the state's improved curriculum standards have been phased in gradually over recent years, the 2011-12 school year marks the implementation of a new and more rigorous assessment system (STAAR) and of a fundamentally different approach to the district selection and purchasing of instructional materials. In the second year of the biennium, the 2012-13 school year will mark the first year for the new public school accountability system based on the STAAR assessment program.

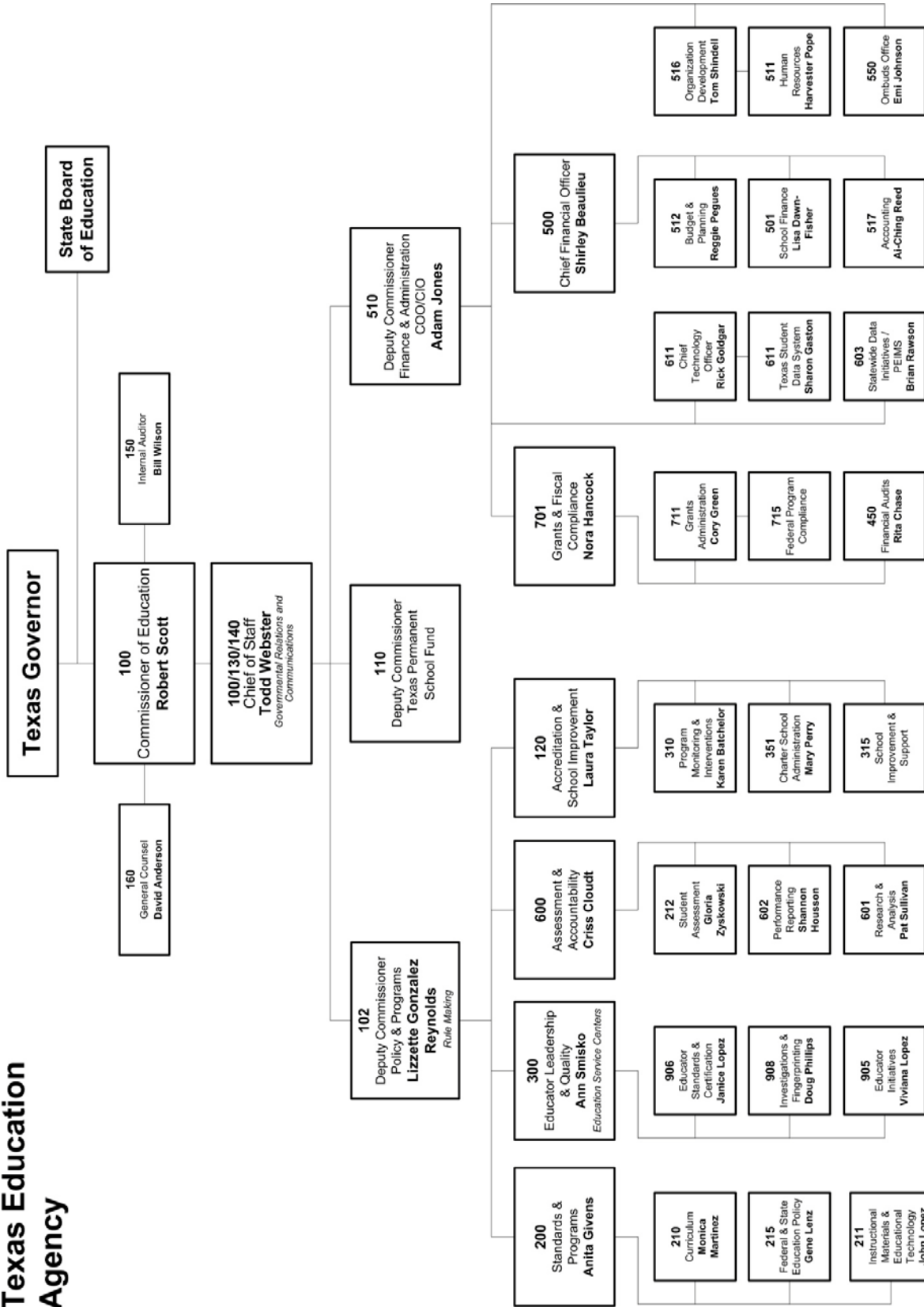
In addition to major reforms of the instructional side of public education, the finance and operations functions of the agency have also seen significant changes. The school finance system has changed significantly in 2006, 2009, and 2011. Based on an in-depth study and continuous stakeholder input, TEA has also been developing an enhanced statewide longitudinal data system to improve the capacity for data-driven decision making among educators, administrators, parents, and policymakers. This new Texas Student Data System (TSDS) will improve the availability and timeliness of high-quality, longitudinal education data to provide educators with more relevant and actionable information about Texas students.

In the midst of major policy shifts, the agency substantially cut employees, from a workforce of 1,060 in January to 717 in July. A major reorganization will take effect September 1, 2011. As a result of these reductions and the accompanying reorganization, many sections of this report will be outdated by the time the agency provides it. A new organizational chart is included as a starting point to understand how the agency will be reorganized. A number of decisions will be made in the upcoming months that will provide some additional detail around how the agency will operate in the coming biennium.

Because the agency has been in a constant state of review and refinement since the last Sunset review and because so many of our critical functions are new, the policy issues identified in Section IX may address only some of the agency's core functions. As the agency begins to implement these new programs and policies, there will be additional lessons learned that will be beneficial to share during the Sunset review process. In many critical areas, it is premature to judge the effectiveness of certain policy decisions.

Public education in Texas continues on a trajectory to improving outcomes for students and preparing them for college and career readiness. This is a vision that will continue to guide the agency's work, and we look forward to having the opportunity to improve through the Sunset review process.

Texas Education Agency



Effective Date: September 1, 2011

XIII. Reports Required by Statute

House Bill 326, effective June 17, 2011, requires the agencies subject to Sunset review over the next biennium to submit a report before September 1, 2011, to the Sunset Commission, Governor, Lieutenant Governor, and each member of the legislature that contains the following:

- A list of reports that the agency is required by a statute to prepare; and
- An evaluation of each report listed based on whether factors or conditions have changed since the date the statutory requirement to prepare the report was enacted.

Report	Statute	Recipients
Education Research Centers; Sharing Student Information – The commissioner and coordinating board shall provide notice that an education research center is being required to conduct a certain research project. Due Date: 45 th day before project begins	1.005	Governor, LBB, university governing board of centers institution
Reporting Schedule – The agency is required to develop and maintain a comprehensive schedule of reporting requirements for school districts. Format and delivery method left up to TEA. Due Date: On-going	7.037	School Districts
School District Fiscal Management Report – The commissioner shall report to the State Board of Education the status of school district fiscal management. Due Date: Annually	7.055(36) 44.001(b)	State Board of Education
Incentive Funding for District Efficiencies – The commissioner may submit a report that demonstrates that ESCs are providing the required services, defines efficiencies of scale, proposes incentives payments and establishes a method for documenting and computing efficiencies. Due Date: Each regular session	8.122(b)	Legislature
Notice to Teacher Retirement System – The commissioner shall notify TRS in writing of the revocation, denial of renewal or surrender of a charter. The commissioner must also notify TRS when a charter is no longer receiving state funds and if they resume receiving state funds. Due Date: 10 th business day after event	12.1164	Teacher Retirement System
Annual Evaluation of Charter Schools -- The commissioner shall designate an impartial organization with experience in evaluating school choice programs to conduct an annual evaluation of open-enrollment charter schools. Due Date: Annual Report	12.118	Legislature
Dormant School Districts – The commissioner shall report to each appropriate commissioner’s court when a district is dormant. Due Date: As Needed	13.052(b)	Commissioner’s court
Notice on Certification Record of Alleged Misconduct – SBEC shall notify an educator in writing when placing a notice of alleged incident of misconduct on the public certification records of the educator.	21.007	Affected Educator
State Board for Educator Certification Annual Report – The board shall provide a report accounting for all funds received and disbursed by the board. Due Date: Annually	21.040	Governor, lieutenant governor, speaker, LBB and education committees
Assignment of Hearing Examiner – The commissioner shall notify parties of the assignment of a hearing examiner.	21.254	Affected parties

Report	Statute	Recipients
<p>Appraisal and Professional Development System for Principals – The commissioner shall prepare a report on any action taken under this section; and any recommendations for legislative action concerning the training, appraisal, professional development or compensation of principals. Due Date: December 1, 2012 and December 1, 2014</p>	21.3541	Governor, lieutenant governor, speaker, LBB and education committees
<p>Teacher Reading Academies -- Prepare an evaluation of the Teacher Reading Academies. The evaluation must: (1) use qualitative, quantitative, and expert review methodologies, including direct observations; follow-up interviews and surveys with participating teachers and administrators; and analysis of student data submitted through the Public Education Information Management System (PEIMS) and student assessment results to measure reading progress achieved by students receiving instruction from teachers who attended a reading academy in comparison to: (i) reading progress achieved by those students in preceding years; and (ii) reading progress achieved by students receiving instruction from teachers who did not attend a reading academy; and (2) include an analysis of financial data to assess the cost-effectiveness of the reading academies Due Date: December 1, 2010</p>	21.4551 (Expires September 1, 2011)	Legislature
<p>Evaluation of Awards for Student Achievement and Education Excellence Awards Programs – The agency shall provide the final results of the comprehensive evaluation of the program. The evaluation must include: (1) a descriptive analysis of the design and implementation of the program at participating campuses or school districts, including detailed descriptions of the models and approaches used by the campuses or districts in distributing incentive awards to classroom teachers; (2) detailed information regarding the distribution of incentive awards to classroom teachers under the program, including the measurements used by the campuses or districts in determining the amounts of incentive awards to distribute to classroom teachers; (3) a comprehensive, quantitative analysis of the impact of the program at participating campuses or districts, including the impact of the various incentive award distribution models used by the campuses or districts on key outcomes in the program; and (4) a summary of the approaches used by participating campuses or districts in distributing grant funds that are not specifically designated for distribution as incentive awards for classroom teachers and an assessment of whether those funds are used effectively by the participating campuses or districts. Due Date: December 1, 2010</p>	21.706 (Expires June 1, 2011)	Legislature
<p>National Criminal History Record Information Review of Certain Open-Enrollment Charter School Employees – The agency shall notify the open enrollment charter school in writing that a person may not be employed by the school or serve in a capacity described by Section 12.1059.</p>	22.0832	Charter School
<p>National Criminal History Record Information Review of Noncertified Employees – The agency shall examine the criminal history information of the person and notify the district, school, or shared services arrangement if the person may not be hired or must be discharged as provided by Section 22.085.</p>	22.0833	District, Charter school or Shared Service arrangement
<p>National Criminal History Record Information Review of Substitute Teachers – The agency shall examine the criminal history information and certification information of the person and notify the district, school, or shared services arrangement if the person may not be hired or must be discharged as provided by Section 22.085, or may not be employed as a substitute teacher because the person’s educator certification has been revoked or is suspended.</p>	22.0836	District, Charter school or Shared Service arrangement

Report	Statute	Recipients
Class Size Waivers – The agency shall report the number of applications for exceptions under Subsection (d) submitted by each school district and for each application indicate whether the application was granted or denied. Due Date: January 1, 2011	25.112 (Expires February 1, 2011)	Legislature
Dual Language Education Pilot Project The agency shall prepare a final report describing the agency’s activities under the pilot project, the effect of the project on grade-level completion and high school graduation rates, and the recommendations arising from the project. Due Date: January 1, 2011 (Interim Report) January 1, 2013 (Final Report)	28.0052 (Expires August 1, 2013)	Legislature
Contract for Language Learning Software -- the agency shall report on the utilization and effectiveness of the language learning software Due Date: January 2, 2013	28.0054 (Expires August 1, 2013)	Legislature
Report on Early College Readiness Assessments – the agency shall prepare a report that contains recommendations for promoting and implementing early assessments of college readiness that are of a diagnostic nature and early intervention models for preparing high school students for college coursework. Due Date: December 1, 2012	28.0141	Governor, lieutenant governor, speaker, LBB and education committees
Fine Arts Credit Pilot Program -- The agency shall prepare a report regarding the pilot program, including the feasibility of expanding the pilot program statewide Due Date: December 1, 2010	28.025 (b-9) (completed)	Legislature
Bilingual Education and Special Language Programs Compliance – The agency shall evaluate the effectiveness of these programs using areas defined in 29.062(b). Due Date: 30 days after date of on-site monitoring	29.062	School District
Intensive Mathematics and Algebra Intervention Pilot Program – The Agency shall conduct an evaluation of the program which details the progress under the assessment instruments administered under Section 39.023(a)(1) or equivalent assessment instruments administered under Section 39.023(l) to students participating in the intervention program. The commissioner shall recommend any statutory changes the commissioner considers appropriate to promote improved mathematics and algebra readiness in Texas schools. Due Date: December 1, each even-numbered year	29.099	Legislature
Notification of Prekindergarten Programs -- The agency shall prepare a report detailing strategies developed under Subsection (b) to increase community awareness of prekindergarten programs Due Date: December 1, 2010	29.1534 (Expires January 1, 2011)	Legislature
Plan to Increase Enrollment in Institutions of Higher Education – The agency shall notify a district to which this section applies of the applicability of this section to the district. Due Date: Not later than May 1, Annually	29.904	School District
Financial Literacy Pilot Program – The agency shall prepare a report detailing the implementation and effectiveness of this program. Due Date: January 1, 2011	29.915 (Expires February 1, 2011)	Legislature
Technology–Based Supplemental Instruction Pilot Program -- The agency shall prepare a final report on the evaluation of the program’s effectiveness in improving student performance Due Date: December 1, 2010	29.919 (Expires September 1, 2011)	Legislature

Report	Statute	Recipients
<p>State Virtual School Network -- The commissioner shall prepare a report for each fiscal year documenting activities of the state virtual school network. The report must include the results of assessment instruments administered to students enrolled in electronic courses under this chapter; and the commissioner shall make information relating to the performance of students enrolled in electronic courses under this chapter available to school districts, open-enrollment charter schools, and the public.</p> <p>Due Date: January 31, each year</p>	30A.054	Legislature
<p>State Textbook Fund – The commissioner shall a report on the amount of unobligated money in the fund</p> <p>Due Date: July 1, each year</p>	31.021(b) (Repealed SB 6, 82 nd ICS)	SBOE
<p>Technology Lending Grant Program – The agency shall prepare a written report on the grants awarded under this program.</p> <p>Due Date: January1, 2013</p>	32.204	Governor, lieutenant governor, speaker, LBB and education committees
<p>Computer Lending Pilot Program -- The commissioner shall submit an annual report on the computer lending pilot program.</p> <p>Due Date: January 1, every year</p>	32.354 (Repealed SB 6, 82 nd ICS)	Legislature
<p>Exemption of Courses for Extracurricular Activities -- The agency shall review on a biennial basis courses to determine if they should be excluded from the requirement that a student be suspended from extracurricular activities</p> <p>Due Date: January 1, each odd-numbered year</p>	33.081	Legislature
<p>Reporting of Bus Accidents -- The agency shall publish on its website data collected from school districts on school bus accidents</p> <p>Due Date: Annual Report</p>	34.015	Website
<p>Disciplinary Alternative Education Programs (DAEP) – The commissioner shall notify the board of trustees of a district of any objection the commissioner has to the district’s DAEP data or of a violation of a law or rule revealed by the data, including any violation of DAEP requirements, or of any recommendations of the commissioner concerning the data. If the data reflects that a penal law has been violated, the commissioner shall notify the county attorney, district attorney, or criminal district attorney, as appropriate, and the attorney general.</p>	37.008	School District, county attorney, district attorney, attorney general.
<p>Coordinated Health Program for Elementary, Middle, and Junior High School Students – The agency shall notify each school district of the availability of these programs.</p>	38.013	School Districts
<p>Physical Fitness Assessment -- The agency shall analyze the results and identify, for each school district, any correlation between the results and the following student academic achievement levels; student attendance levels; student obesity; student disciplinary problems; and school meal programs. The agency shall report the findings of the analysis under this section of the results obtained during the preceding school year</p> <p>Due Date: September 1, annually</p>	38.104	School Health Advisory Committee
<p>Administration of Assessment Instruments – The agency shall notify school districts and campuses of results of assessment instruments administered under this section at the earliest possible date but not later than the beginning of the subsequent school year.</p>	39.023	School Districts

Report	Statute	Recipients
<p>Measure of College Readiness – The agency and Higher Education Coordinating Board shall prepare a report providing an analysis of the feasibility of establishing college readiness performance standards for science and social studies end-of-course assessment instruments and a summary of implementation procedures for each standard. Due Date: December 1, 2012</p>	39.024(f-1)	Legislature
<p>Measure of Annual Improvement in Student Achievement – The agency shall report the expected level of improvement and the actual level of improvement in student achievement from one school year to the next on an assessment instrument. Due Date: Annually</p>	39.034	School District
<p>Limitation on Field Testing of Assessment Instruments – The agency shall notify each school district regarding the required participation of the district in field testing activities during that school year. Due Date: Before the beginning of each school year</p>	39.035	School Districts
<p>International Assessment Instrument Program -- the commissioner shall prepare a report describing the results of student performance on the international assessment instruments. Due Date: January 1, each odd-numbered year</p>	39.037	Legislature and each school district
<p>Determination of Accreditation Status or Performance Rating – The commissioner shall notify a school district that receives an accreditation status of accredited-warned or accredited-probation or a campus that performs below a standard required under this subchapter that the performance of the district or campus is below a standard required by this subchapter.</p>	39.052	School Districts
<p>Methods and Standards for Evaluating Performance – The commissioner shall notify district if the district or campus received a performance rating of unacceptable performance for the preceding school year. Due Date: On or before June 15</p>	39.054	School Districts
<p>Financial Solvency Review Required – The agency shall immediately notify the affected school district regarding the financial conditions triggering an alert of the electronic-based financial review system.</p>	39.0822	School Districts
<p>Successful School Awards – The commissioner shall select annually schools and districts qualified to receive successful school awards. Due Date: Annually</p>	39.263 (NOT FUNDED)	Governor and SBOE
<p>Comparison for Annual Performance Assessments – The agency shall report to each school district the comparison of student performance made under 39.034. To extent practicable, this information shall be combined with the report on student performance under Section 39.023. Due Date: Annually</p>	39.302	School District
<p>Campus Report Card – The agency shall prepare and distribute to each campus a report card with campus performance compared to previous campus and district performance, current district performance and state standards. Due Date: Each school year</p>	39.305	School District
<p>Annual Audit of Dropout Records; Report – the commissioner shall notify a school district of any objection to the district’s dropout data, any violations of sound accounting principles or rules or any recommendations concerning the data. If the data reflect a penal law has been violated, the commissioner shall notify the county attorney, district attorney, or criminal district attorney, as appropriate, and the attorney general.</p>	39.308	School Districts, county attorney, district attorney and attorney general.

Report	Statute	Recipients
<p>Comprehensive Annual Report -- This report shall include items outlined in Section 39.332 Due Date: December 1, every year</p>	39.332	Governor, lieutenant governor, speaker, LBB and education committees
<p>Regional and District Level Report -- This report shall include items outlined in Section 39.333. Due Date: December 1, every even-numbered year</p>	39.333	Governor, lieutenant governor, speaker, LBB and education committees
<p>Technology Report -- This report shall include items outlined in Section 39.334. Due Date: December 1, every even-numbered year</p>	39.334	Governor, lieutenant governor, speaker, LBB and education committees
<p>High School Completion and Success Initiative Progress Report -- The agency shall deliver a progress report regarding the implementation of programs under HB 2237 and the alignment of programs to the strategic plan Due Date: March 1 and September 1, every year</p>	39.415	Governor, lieutenant governor, speaker, LBB and education committees
<p>High School Completion and Success Initiative Council -- the agency shall prepare and deliver a report that recommends any statutory changes the council considers appropriate to promote high school completion and college and workforce readiness. Due Date: December 1, each even-numbered year</p>	39.415	Legislature
<p>House Bill 2237 Performance Report on Texas High School Completion and Success Programs – the agency shall prepare and deliver a final report that includes an assessment of the impact of programs for which grants have been awarded under Subchapter L, Chapter 39, Education Code as added by HB 2237 (80th Session) Due Date: December 1, 2010</p>	HB 2237 Section 18 (80 th Session) (Expired)	Governor, lieutenant governor, speaker, and education committees
<p>Annual Review of Property Wealth – The commissioner shall review the wealth per student of school districts and notify each district with wealth per student exceeding the equalized wealth level, each district to which the commissioner proposes to annex property detached from a district and each district to which the commissioner proposed to consolidate under these provisions. Due Date: July 15, annually</p>	41.004	School Districts
<p>Effect of Additional State Aid for Tax Reduction (ASATR) – The commissioner shall notify property wealthy districts when the amount of state revenue to which the district is entitled to under ASATR exceeds the cost to the district to purchase attendance credits in an amount sufficient to reduce the district’s wealth per student to the equalized wealth level for that school year.</p>	41.0041	School District
<p>Detachment and Annexation by the Commissioner; Orders and Notice – The commissioner shall notify each affected school district and the appraisal district of any orders to detach and annex property under this subchapter. Due Date: As soon as practicable after November 8 annually</p>	41.208	School District and appraisal districts

Report	Statute	Recipients
<p>Compensatory Education Allotment – The commissioner shall notify a school district of the determination that the district is at high risk of having misused compensatory education funds. The commissioner shall notify school districts of their entitlement to an exemption under subsection (r).</p>	42.152	School District
<p>Career and Technology Education Allotment Pilot Program – The agency shall prepare a report describing the effectiveness of the pilot program described by this subsection Due Date: January 1, 2013</p>	42.154(a-1) (Expires February 1, 2013)	Legislature
<p>Adjustment for Optional Homestead Exemption – The commissioner shall notify school districts as to the availability of funds under this section. Due Date: As soon as practicable</p>	42.2522	School Districts
<p>Annual Audit; Report -- The commissioner shall notify the board of trustees of objections, violations of sound accounting practices or law and regulation requirements or of recommendations concerning audit reports. If the report reflects that penal law has been violated, the commissioner shall notify the appropriate county or district attorney and the attorney general.</p>	44.008	School District, county or district attorney and attorney general
<p>Preference to Texas and United States Products – The agency shall provide an analysis of purchases by school districts to determine the effectiveness of this section. Due Date: December 31, even numbered years</p>	44.042	Legislature
<p>Open Enrollment Charters Credit Enhancement Program--Repayment; Lien – The commissioner shall notify a charter holder of any amount of funds determined to be due to the state under the provisions of this section.</p>	45.306	Charter Holder
<p>Driver and Traffic Safety Education – Revocation of or Placement of Conditions on School or Course Provider – The commissioner shall notify the license holder, in writing, of any action and the grounds for action under this section.</p>	1001.454	License Holder
<p>Denial, Suspension or Revocation of Instructor License – The agency shall notify the applicant or license holder of any denial, suspension or revocation of license under this section. Due Date: Not later than 10th day after action</p>	1001.455	License Holder
<p>Hearing – The commissioner shall notify the aggrieved person by certified mail of the commissioner’s decision under this section. Due Date: Not later than 10th day after action</p>	1001.460	License Holder
<p>Early Mental Health Intervention and Suicide Prevention – The Health Department in coordination with the agency, shall provide and annually update a list of recommended best practice-based early mental health intervention and suicide prevention programs for implementation in public elementary, junior high, middle, and high schools within the general education setting. Due Date: Annually</p>	161.325 Health and Safety Code	School Districts
<p>Foundation School Program Funding – The agency shall submit reports on the prior month’s expenditures on programs described by this rider no later than the 20th day of each month</p>	Rider 3 (81 st GAA) Rider 3 (82 nd GAA)	Governor’s office and LBB
<p>Program Transfers and Contracts with ESCs -- The agency shall submit a report describing all programs and funding amounts transferred to Regional Education Service Centers during the fiscal year. Due Date: End of each fiscal year</p>	Rider 15 (81 st GAA) Rider 14 (82 nd GAA)	Governor, lieutenant governor, speaker, LBB and education committees

Report	Statute	Recipients
<p>Annual Report on the Permanent School Fund – The agency shall report on the actual and projected cost of administering the Permanent School Fund for the year covered by the report and the following three years. Due Date: Annually</p>	<p>Rider 23 (81st GAA) Rider 22 (82nd GAA)</p>	<p>Not specified</p>
<p>Funding for Regional Education Service Centers (RESC) – The commissioner shall provide a report detailing the amount of savings provided to school districts as a result of services provided by a RESC, by total amount and on a per student in weighted average daily attendance (WADA) served basis; services provided by the RESC and a cost comparison to similar services provided by alternative providers; and for each service provided by the RESC, the number of fulltime equivalent RESC positions, total salaries, and the method of financing associated with the service. Due Date: December 1, annually</p>	<p>Rider 39 (82nd GAA)</p>	<p>Governor, lieutenant governor, speaker, LBB and education committees</p>
<p>Certification of Pre-kindergarten Expenditures – The agency shall certify each year of the biennium the maximum pre-kindergarten expenditures allowable under federal law as maintenance of effort for Temporary Assistance for Needy Families (TANF) and state match for Child Care Development Fund. Due Date: Annually</p>	<p>Rider 40 (81st GAA)</p>	<p>Not specified</p>
<p>Early Childhood School Readiness Certification – The agency or any entity with which the agency contracts for purposes of administering programs under this rider shall submit a report providing detailed information on the expenditure of state funds for purposes of this program. Due Date: December 1, annually</p>	<p>Rider 41 (81st GAA) Rider 54 (82nd GAA)</p>	<p>Governor, lieutenant governor, speaker, LBB and education committees</p>
<p>Performance Reporting on State Assessments for the 2012-13 Biennium -- The agency shall submit to the Legislative Budget Board performance targets for fiscal years 2012 and 2013 for performance measures related to the state assessments system, including but not limited to the percent of students passing all tests taken and related measures, as soon as practicable after passing standards for the State of Texas Assessments of Academic Readiness (STAAR) are established, but not later than November 15, 2012. Due Date: November 15, 2012</p>	<p>Rider 50 (82nd GAA)</p>	<p>LBB</p>
<p>Receipt and Use of Grants, Federal Funds, and Royalties – The agency shall report on grants or earnings received pursuant to the provision of this rider, and the planned use of those funds Due Date: Quarterly</p>	<p>Rider 57 (81st GAA) Rider 40 (82nd GAA)</p>	<p>Governor and LBB</p>
<p>Public School Counselor Report. -- The agency shall conduct a comprehensive statewide study of the duties public school counselors perform. Due Date: 83rd Legislative Session</p>	<p>Rider 61 (82nd GAA)</p>	<p>83rd Texas Legislature</p>
<p>LEP Student Success Initiative -- The agency shall use a portion of the funds to perform an evaluation and review of student performance and improvement. Due Date: January 1, 2011</p>	<p>Rider 62 (81st GAA)</p>	<p>Legislature</p>
<p>Permanent School Fund Distribution Rate – The agency shall report the distribution rate or rates under consideration; assumption of methodology used in determining the rate; annual amount of distribution under consideration that is estimated to provide and the differences between them and the annual distribution amounts for the preceding three biennia; and the optimal distribution amount for the preceding biennium and the difference between it and the actual distribution amount Due Date: 45 days prior to adoption of distribution rate</p>	<p>Rider 68 (81st GAA) Rider 46 (82nd GAA)</p>	<p>LBB and Governor</p>

Report	Statute	Recipients
<p>Evaluations for General Revenue Programs -- The agency shall conduct a performance evaluation of any General Revenue-funded program initiated by the Eighty-first or Eighty-second Legislature, and deliver a report to the Legislature in January of the first odd-numbered year after the fourth fiscal year of the program's implementation.</p> <p>Due Date: January 1</p>	Rider 47 (82 nd GAA)	Legislature
<p>Evaluation of General Revenue Programs -- The agency shall conduct a performance evaluation of any GR funded program initiated by the 80th or 81st Legislature in January of the first odd-numbered year after the fourth fiscal year of the program's implementation. The agency shall include the Student Success Initiative in the list of programs to be evaluated for the January 2011 report</p> <p>Includes mandatory report on the Student Success Initiative and the following non-mandatory, interim reports:</p> <ul style="list-style-type: none"> • Mathematics Instructional Coaches Pilot Program Evaluation (program created by HB 3327, 80th) • Collaborative Dropout Reduction Pilot Program Evaluation (program created by HB 2237, 80th) • Intensive Summer Programs Evaluation (program created by HB 2237, 80th) • Dropout Recovery Program (program created by High School Council Recommendation, HB 2237, 80th 39.361(c)) • Texas Ninth Grade Transition and Intervention (program created by HB 2237, 80th) • Pre-K Early Start Grant Program (Due to adoption of new Commissioner's Rules in spring 2009, implementation strategies for TEC 29.155 were altered.) <p>Due Date: January 2011</p>	Rider 69	Legislature
<p>Evaluation of General Revenue Programs -- The agency shall conduct a performance evaluation of any GR funded program initiated by the 80th or 81st Legislature in January of the first odd-numbered year after the fourth fiscal year of the program's implementation. The agency shall include the Student Success Initiative in the list of programs to be evaluated for the January 2011 report</p> <p>Includes the following mandatory reports:</p> <ul style="list-style-type: none"> • Mathematics Instructional Coaches Pilot Program Evaluation (program created by HB 3327, 80th) • Collaborative Dropout Reduction Pilot Program Evaluation (program created by HB 2237, 80th) • Intensive Summer Programs Evaluation (program created by HB 2237, 80th) • Dropout Recovery Program (program created by High School Council Recommendation, HB 2237, 80th 39.361(c)) • Texas Ninth Grade Transition and Intervention (program created by HB 2237, 80th) <p>Due Date: January 2013</p>	Rider 69	Legislature

Report	Statute	Recipients
<p>Evaluation of General Revenue Programs -- The agency shall conduct a performance evaluation of any GR funded program initiated by the 80th or 81st Legislature in January of the first odd-numbered year after the fourth fiscal year of the program's implementation. The agency shall include the Student Success Initiative in the list of programs to be evaluated for the January 2011 report</p> <p>Includes the following non-mandatory reports:</p> <ul style="list-style-type: none"> • Pre-K Early Start Grant Program (Due to adoption of new Commissioner's Rules in spring 2009, implementation strategies for TEC 29.155 were altered.) <p>Due Date: January 2013</p>	Rider 69	Legislature
<p>Evaluation of General Revenue Programs -- The agency shall conduct a performance evaluation of any GR funded program initiated by the 80th or 81st Legislature in January of the first odd-numbered year after the fourth fiscal year of the program's implementation. The agency shall include the Student Success Initiative in the list of programs to be evaluated for the January 2011 report</p> <p>Includes the following mandatory reports:</p> <ul style="list-style-type: none"> • Pre-K Early Start Grant Program (Due to adoption of new Commissioner's Rules in spring 2009, implementation strategies for TEC 29.155 were altered.) <p>Due Date: January 2015</p>	Rider 69	Legislature
<p>School-Based Prevention Services – The agency shall track implementation and report on the use of these funds</p> <p>Due Date: August 31, 2011</p>	Rider 74	Governor and LBB
<p>Evaluation of General Revenue Programs -- The agency shall conduct a performance evaluation of any GR funded program initiated by the 79th or 80th Legislature in January of the 4th fiscal year of the program's existence. The agency shall include the Student Success Initiative in the list of programs to be evaluated for the January 2009 report.</p> <p>Includes the following mandatory reports:</p> <ul style="list-style-type: none"> • English Language Proficiency Pilot Program (aka Reading Language Acquisition) (program created by Rider 68, 80th) • Middle School Physical Education and Fitness Program Evaluation (program created by Rider 89, 80th) <p>Due Date: January 2011</p>	Rider 79 (80 th Session)	Legislature
<p>Teach for America – The agency shall submit a report that evaluates the gains of student achievement in all subject levels and at all grade levels for students taught by Teach for America teachers and comparative data about Texas teachers trained by other programs who taught teachers with similar background and socioeconomic backgrounds. The report shall include the cost effectiveness of state investments in teacher preparation programs including Teach for American and other traditional and alternative certification routes.</p> <p>Due Date: January 31, 2011</p>	Rider 84	Legislature
<p>AMERICAN RECOVERY AND REINVESTMENT ACT -- Each state agency and institution of higher education receiving appropriations under this article shall develop and submit a plan to the Legislative Budget Board and the Governor providing details on the entity's intended use of their appropriations from the American Recovery and Reinvestment Act (ARRA). Each of the agencies and institutions receiving appropriations under this Act shall submit quarterly reports on the expenditure of funds received from money available under the American Recovery and Reinvestment Act (ARRA).</p>	Article XII, Section 5 (81 st GAA) Section 34	Governor and LBB

Obsolete Report References:

Cardiovascular Screening Pilot Program – The commissioner shall prepare a report that summarizes the results of the cardiovascular screening.

38.0181(f)
Expired on June 1, 2009

Legislature

Due Date: January 1, 2009

Attachments

Attachments Relating to Key Functions, Powers, and Duties

1. A **copy** of the agency's enabling statute.

Texas Education Agency – Enabling Statute and Main Function

The Texas Education Agency (TEA) consists of the commissioner of education and agency staff, as stipulated in §7.002(a) of the Texas Education Code (TEC). TEA is the state executive agency for primary and secondary public education and is responsible for guiding and monitoring certain activities related to public education in Texas. The agency is authorized to carry out education functions specifically delegated under §7.021, §7.055, and other provisions of the TEC. In addition, TEC §21.035 directs the agency to perform the administrative functions and services of the State Board for Educator Certification (SBEC).

As provided by TEC §7.003, educational functions not specifically assigned to TEA or the State Board of Education (SBOE) fall under the authority of independent school districts (ISDs) and charter schools. The TEC provides that the commissioner of education serve as the educational leader of the state, executive secretary of the SBOE, and executive officer of TEA. Providing general leadership and direction for public education, the commissioner's responsibilities include the following:

- Administering the distribution of state and federal funding to public schools
 - Administering the statewide accountability system
 - Administering the statewide assessment program
 - Providing support to the SBOE in the development of the statewide curriculum
 - Assisting the SBOE in the textbook adoption process and managing the textbook distribution process
 - Administering a data collection system on public school students, staff, and finances
 - Monitoring for compliance with certain federal and state guidelines
2. A **copy** of each annual report published by the agency from FY 2006 – 2010.
 - Attachment 2 – Annual Reports FY06-10 (874 pages)
 - See the TEA Website: http://www.tea.state.tx.us/acctres/comp_annual_index.html
 - PDF Copy Available
 3. A **copy** of each internal or external newsletter published by the agency from FY 2009 – 2010.
 - Attachment 3 – TEA Newsletters FY09-10 (51 pages)
 - See Texas Education Today: <http://www.tea.state.tx.us/TET/>
 - PDF Copy Available
 4. A **list** of publications and brochures describing the agency.
 - Please see TEA website: <http://www.tea.state.tx.us/>
 5. A **list** of studies that the agency is required to do by legislation or riders.
 - Please see Section VIII and XIII of TEA's 2011 SER.

6. A **list** of legislative or interagency studies relating to the agency that are being performed during the current interim.
 - Senate Bill 1 as passed in the 1st Called Session of the 82nd Texas Legislature requires the formation of a joint legislative interim committee to conduct a comprehensive study of the public school finance system.
 - For other studies, please see Section XIII of TEA's 2011 SER.
7. A **list** of studies from other states, the federal government, or national groups/associations that relate to or affect the agency or agencies with similar duties or functions.
 - *Not Applicable*

Attachments Relating to Policymaking Structure

8. Biographical information (e.g, education, employment, affiliations, and honors) or resumes of all policymaking body members.
 - SBEC Board Members:
http://www.tea.state.tx.us/index2.aspx?id=416&menu_id=869&menu_id2=794
 - SBOE Board Members:
<http://www.tea.state.tx.us/index4.aspx?id=3803>
9. A **copy** of the agency's most recent rules.
 - Please see the Texas Administrative Code: <http://ritter.tea.state.tx.us/rules/tac/index.html>

Attachments Relating to Funding

10. A **copy** of the agency's Legislative Appropriations Request for FY 2012 – 2013.
 - Attachment 10 - TEA's LAR (366 pages)
 - <http://www.tea.state.tx.us/index2.aspx?id=2147488036>
11. A **copy** of each annual financial report from FY 2008 – 2010.
 - Attachment 11 – TEA Annual Financial Reports FY08-10 (200 pages)
 - PDF Copy Available
12. A **copy** of each operating budget from FY 2009 – 2011.
 - Attachment 12 – TEA Operating Budgets FY09-11 (1559 pages)
 - 2009: PDF Copy Available
 - 2010: PDF Copy Available
 - 2011: PDF Copy Available

Attachments Relating to Organization

13. If applicable, a map to illustrate the regional boundaries, headquarters location, and field or regional office locations.
 - *Not Applicable*

Attachments Relating to Agency Performance Evaluation

14. A **copy** of each quarterly performance report completed by the agency in FY 2008 – 2010.
 - Please See Attachment 2.
15. A **copy** of any recent studies on the agency or any of its functions conducted by outside management consultants or academic institutions.
 - Attachment 15 – Survey of Organizational Excellence (Conducted by the University Of Texas)
 - PDF Copy Available
16. A **copy** of the agency’s current internal audit plan.
 - Attachment 16 – Internal Audit Plan 2011
 - PDF Copy Available
17. A **copy** of the agency’s current strategic plan.
 - Attachment 17 – TEA Strategic Plan 2011-2015 (181 Pages)
 - http://www.tea.state.tx.us/index4.aspx?id=3442&menu_id=949
 - PDF Copy Available
18. A **list** of internal audit reports from FY 2007 – 2011 completed by or in progress at the agency.
 - Attachment 18 – Internal Audit Reports FY07-11
 - PDF Copy Available
19. A **list** of State Auditor reports from FY 2007 – 2011 that relate to the agency or any of its functions.
 - Please visit the SAO website: <http://www.sao.state.tx.us/reports/>
 - PDF Copy Available
20. A **copy** of any customer service surveys conducted by or for your agency in FY 2010.
 - Attachment 20 – Report on Customer Service 2010 (109 pages)
 - PDF Copy Available