

TEXAS EDUCATION AGENCY

TEXAS EDUCATION AGENCY — CONTRACTING PROCEDURES FOR ASSESSMENT INSTRUMENTS

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Agency at a Glance

The Texas Education Agency (TEA) oversees the state's elementary and secondary public education system, providing leadership, guidance, and resources to help schools meet the educational needs of all students. The agency performs the following activities to achieve its mission.

- Distributing state and federal funding to public schools.
- Administering the statewide standardized testing program and accountability systems.
- Providing assistance to and imposing interventions and sanctions on public schools, including charter schools, that consistently fail to meet the state or federal accountability standards.
- Providing support to the State Board of Education in developing statewide curriculum standards, adopting instructional materials, managing the instructional materials allotment and distribution process, and carrying out duties related to the Permanent School Fund.
- Collecting a wide array of educational and financial data from public schools.
- Performing the administrative functions and services of the State Board for Educator Certification to certify educators, regulate educator preparation programs, and take enforcement action in cases of educator misconduct.
- Monitoring schools for compliance with certain federal and state guidelines.

Despite progress, TEA still must address concerns about the oversight and transparency of its student assessment contract.

During the 2013–14 school year, Texas' public education system consisted of 1,230 active local education agencies, including 202 charter school districts. Statewide, this system served more than 5.1 million students with nearly 340,000 classroom teachers in about 8,600 schools.

Summary

The Sunset Commission's limited scope review of the TEA follows up on the full Sunset review of the agency conducted in 2012. At that time, the Sunset Commission adopted and forwarded recommendations on TEA to the 83rd

Legislature to reshape and focus the role and priorities of the agency. The Sunset Commission's 56 statutory recommendations were incorporated into Senate Bill 218. The Senate Education Committee reported the bill out, but in the end, S.B. 218 never came up on the Senate floor. In a separate bill, the Legislature continued TEA for two years and focused this current Sunset review on evaluating the ongoing appropriateness of the original recommendations adopted by the Sunset Commission in January 2013.

The 83rd Legislature also directed the Sunset Commission to evaluate the contracting procedures used by TEA to enter into a contract with a provider to develop or administer student assessment instruments and present recommendations to the 84th Legislature. The Sunset Commission conducted this evaluation in conjunction with the limited scope review of TEA and found that the agency has made progress in improving its procurement process for and oversight of the student assessment contract. However, TEA still must address concerns about the oversight and transparency of this and other large contracts to ensure the Legislature and the public have confidence that the State gets what it pays for and that the agency maintains an arms-length relationship with its vendors.

Based on the re-examination, the Sunset Commission concluded that most of the previous recommendations remain appropriate, and that TEA continues to need statutory authority and direction to implement them. Since the 83rd Legislature adopted 11 Sunset recommendations related to adult education, charter school regulation, and financial accountability in other legislation, no further action is necessary on those topics. The following material summarizes the Sunset Commission's recommendations on TEA.

Issues and Recommendations

Issue 1

While TEA Has Improved Oversight of Its Large and Complex Student Assessment Contract, Further Work Is Needed.

TEA contracts with NCS Pearson Inc. for many of its student assessment functions, paying the company \$438.3 million over a five-year period. This contract ends in August 2015, and the agency is currently in the process of re-procuring the services. Due to its size and complexity and TEA's long-standing relationship with this one vendor, the contract has been the subject of much scrutiny by the Legislature. Further, in July 2013, the State Auditor's Office performed a comprehensive audit of TEA's contracting practices and made many recommendations to improve the agency's oversight of the assessment contract. TEA is making progress in addressing the auditor's recommendations and other lessons learned. However, the agency needs to further improve the oversight and transparency of the assessment contract and other large contracts.

Recommendations

Management Action – Nonstatutory

1.1 TEA should provide comprehensive information online about the student assessment procurement process and contracts to improve transparency.

TEA should provide this information on its website, including, at a minimum, the solicitation, contracts, and contract amendments. In addition, TEA should use this transparent approach for its other major contracts.

1.2 TEA should allow sufficient time for vendors to submit proposals for major contracts.

TEA has a history of providing short timeframes for key steps in its contracting process, resulting in limited competition for major contracts. While TEA extended the timeline for the new student assessment contracts, this recommendation directs the agency to consider extending the amount of time it usually provides vendors to respond to solicitations for other large contracts.

1.3 TEA should provide more centralized contract oversight and develop monitoring plans for all major contracts.

To enhance oversight, TEA should assign a contract administration manager from its Purchasing and Contracts Division to each of its major contracts. These managers would work with program staff to develop plans for overseeing and monitoring each major contract to ensure the agency receives what it pays for and that vendors comply with their contracts. For each of its major contracts, TEA should tailor a plan to establish a clear division of monitoring responsibilities and tasks, set clear expectations for monitoring activities, and define mechanisms for evaluating contract changes.

Issue 2

TEA Does Not Effectively Manage Public Involvement to Obtain the Greatest Value From Its Stakeholder Input.

TEA has a large and diverse group of stakeholders interested in and affected by the policy decisions of the agency. While TEA makes many efforts to gather stakeholder input, including the use of many advisory committees and workgroups, the agency lacks a comprehensive approach to managing these efforts to ensure it gets the most benefit from the input provided.

Recommendations

Change in Statute

2.1 Require TEA to develop and implement a policy to guide and encourage more meaningful and comprehensive stakeholder involvement efforts.

This recommendation would require TEA to develop a new policy to guide its overall approach to public involvement, including consideration of more proactive stakeholder engagement, formal and informal methods of stakeholder input, easy access to meetings and meeting materials, and clear information about opportunities for stakeholder input and the results of stakeholder input.

2.2 Require TEA to adopt rules for its use of advisory committees, ensuring the committees meet standard structure and operating criteria.

TEA would adopt rules, in compliance with general advisory committee requirements in Chapter 2110 of the Texas Government Code, regarding the purpose, tasks, manner of reporting, and abolishment dates for each of its advisory committees, regardless of whether the committee was created in statute or by the commissioner. This recommendation would apply to any committee or council whose primary function is advising the commissioner or TEA staff.

Issue 3

Regulating the Private Driver Training Industry Does Not Match TEA's Public Education Mission.

TEA regulates more than 1,000 private driver education and driving safety schools and nearly 3,000 instructors who teach at those schools. This activity is simply a business regulatory function unrelated to the agency's education role. The public schools that still teach driver education are exempt from this state-level regulation. Due to its ties to the safety of citizens and the court system, regulation of these private businesses is still necessary. However, this regulatory function does not fit TEA's mission. The Sunset Commission also applied licensing best practices to the driver training statute, resulting in several recommendations to increase the effectiveness and fairness of the regulation.

Recommendations

Change in Statute

3.1 Transfer the regulation of private driver training from TEA to the Texas Department of Licensing and Regulation (TDLR).

Under this recommendation, TDLR, the state's business and occupational regulatory agency, would regulate the private driver training industry and develop driver education curriculum, with help from the advisory committee established below. TEA would continue to maintain rules regarding driver education in public schools.

3.2 Require the Commission of Licensing and Regulation to establish an advisory committee to provide technical expertise from the driver training industry.

This recommendation would ensure the board that governs TDLR can obtain expertise, when needed, on rules and standards related to the driver training industry. The presiding officer of the commission, with the commission's approval, would appoint seven members to the advisory committee for six-year staggered terms. Representation on the committee would include one driver education school, one driving safety school, one course provider, one instructor, one Department of Public Safety employee, and two public members.

3.3 Remove the statutory requirement to license driver training school directors, assistant directors, and administrative staff.

These licensure requirements have no public safety benefit. The recommendation would eliminate the unnecessary requirement that these administrative staff at driver training schools meet education and experience requirements, be licensed, and pay fees.

3.4 Remove fixed driver training fee amounts and fee caps from statute.

All fees would be set by rule, allowing for public comment, including industry input, on any fee adjustments.

3.5 Require TDLR to maintain information on driver training complaints.

TDLR would develop and maintain files on all complaints received, ensure that all parties to a complaint are made aware of the status of the complaint until resolution, and ensure all parties are made aware of the agency's approach to complaint investigation.

3.6 Increase the driver training statute's maximum administrative penalty from \$1,000 to \$5,000 per day, per violation.

This recommendation would make the driver training statute consistent with other licensing statutes. As a cap, this maximum penalty would be applied only to the most serious offenses.

3.7 Require TDLR to use the State Office of Administrative Hearings to conduct hearings on driver training enforcement cases.

The Commission of Licensing and Regulation would hold final authority on decisions, as is standard in the Administrative Procedure Act.

Management Action – Nonstatutory

3.8 TEA and TDLR should develop a transition plan for the transfer of driver training regulation.

Transition planning should begin upon passage of the legislation, and the transition plan should include a timetable with specific steps and deadlines needed to carry out the transfer; a method to transfer all program and personnel records to TDLR; steps to ensure against any unnecessary disruption in services to licensees and driver training students; and other steps necessary to complete the transition of programs.

3.9 TDLR should develop performance measures that help ensure driver training complaint investigations are resolved in a timely manner.

3.10 TDLR should make public final driver training school disciplinary orders and sanctions on its website.

Issue 4

Outdated and Unnecessary Statutory Provisions Divert TEA's Focus From Its Core Functions.

TEA's loss of staff necessitates a reduction in its responsibilities, especially those that are not key to overseeing the state's public education system. Several statutory requirements are no longer necessary or useful, and several functions and required reports are redundant or do not provide value to the State.

Recommendations

Change in Statute

4.1 Eliminate one academic performance indicator that is no longer applicable under the current testing system.

This recommendation would remove the academic performance indicator regarding the percentage of students of limited English proficiency exempted from the state standardized test, which is obsolete.

4.2 Eliminate the campus distinction designation committees.

The academic achievement distinction designation committee has already completed its work, and is no longer necessary. Further, since TEA is no longer required to develop criteria for awarding campus distinction designations for other areas of achievement, the related committees are also no longer necessary.

4.3 Restructure the open-enrollment charter school evaluation to provide flexibility for the agency.

This recommendation would remove the prescriptive statutory list of items required to be considered in the evaluation of open-enrollment charter schools. In its place, statute would require the agency to designate an impartial organization to evaluate the cost, performance, or other aspects of charter school regulation, as determined by the commissioner. Rather than annually, this recommendation would require TEA to conduct the evaluation once every four years. TEA would report the findings of the evaluation to the Legislature every other biennium, and include recommendations for statutory change to improve charter school performance or regulation, as the agency deems appropriate.

4.4 Limit TEA's involvement in appointing hearing examiners for teacher contract cases.

TEA would no longer be required to assign a hearing examiner whenever a teacher requests a hearing to contest a school district's decision to prematurely terminate the teacher's contract. Instead, statute would allow the teacher and the district to request the assignment of a hearing examiner only in cases when they do not agree on a hearing examiner on their own. In such cases, TEA would immediately assign the next hearing examiner on the list of certified examiners. TEA's assignment would be final and the parties would not be able to reject a hearing examiner assigned by the agency. Further, the parties requesting the assignment of a hearing examiner by TEA would have to do so within 25 days of the teacher receiving notice of the proposed action by the school district.

4.5 Eliminate the requirement that the commissioner approve shared services arrangements for special education services.

This recommendation would not affect the ability of school districts and charter schools to enter into written contracts to jointly operate special education programs, but would alleviate TEA time and resources for this approval.

4.6 Eliminate the requirement for TEA to oversee training for, and to conduct a survey of, site-based decision making.

This recommendation would remove the requirement for TEA to oversee training and support to all districts and campuses for site-based decision-making processes. This recommendation would also remove an unfunded and potentially costly requirement for TEA to conduct an annual statewide survey of types of decision-making and planning processes, the involvement of stakeholders in those processes, and the perceptions of those persons as to the effectiveness of decisions.

4.7 Eliminate the ability of school districts to seek and receive a foreign exchange student waiver from TEA.

TEA would no longer grant waivers from the requirement that a district admit a foreign exchange student placed with a host family that resides in the district. This recommendation would not prevent a school district from denying admission to foreign students who are residing in their countries of origin and seeking to enroll in the district as allowed for under federal law.

4.8 Require school districts and charter schools to submit information about their depository contracts to TEA, instead of filing copies of their depository contracts and related documents with the agency.

Under this recommendation, school districts and charter schools would only be required to submit a direct deposit form necessary to identify their depository. The recommendation would also remove the requirement that district bidding documents be on a form provided by the State Board of Education, as this information would instead be specified by TEA.

4.9 Eliminate the requirement for school district boards of trustees to report the terms of superintendent severance payments to the commissioner.

TEA would no longer use this information to reduce state education funds in response to these severance payments. The recommendation would remove the State's role in a local decision and allow TEA to focus on activities presenting a higher risk to state funds.

4.10 Replace the prescriptive audit methodology for compensatory education funds with a requirement for TEA to audit all aspects of state education funding through a risk-based approach.

This recommendation would remove the specific requirements to audit compensatory education funds. Instead, TEA would audit any appropriate aspects of state education funding, including compensatory education, on a risk basis. TEA should develop a standard, risk-based approach to auditing these funds in rule, and provide guidance to districts and open-enrollment charter schools in any training or reference materials it provides.

4.11 Eliminate the requirement for TEA to recognize schools' use of high school allotment funds.

Since schools have generally not applied for recognition through this program, this recommendation would remove the requirement that TEA develop standards for evaluating the success of high school completion and college readiness programs implemented with use of the high school allotment. This recommendation would not affect the actual high school allotment or how the State distributes it to school districts.

4.12 Eliminate the Best Practices Clearinghouse.

Many other more effective options exist for schools to share best practices.

4.13 Eliminate the High School Completion and Success Initiative Council and the reporting requirements and programs associated with the initiative.

This recommendation would abolish the High School Completion and Success Initiative Council, whose job is completed and whose broader concerns are covered by the work of the State P-16 Council. The recommendation would also eliminate the council's various reporting requirements and its six unfunded grant and pilot programs.

4.14 Eliminate four unnecessary reporting requirements, but continue 19 that still serve a purpose.

Statute would be amended to eliminate the following reports: *International Assessment Instrument Program Report*, *Intensive Mathematics and Algebra Intervention Pilot Program Report*, *Report on Exemption of Courses for Extracurricular Activities*, and *Reporting of Bus Accidents*. This recommendation would also remove the unfunded Intensive Mathematics and Algebra Intervention Pilot Program from statute.

Issue 5

TEA Lacks Authority and Flexibility in Annexing a School District, Especially an Imminently Insolvent District.

Statute lacks a process to require a school district's annexation if a district will not have sufficient funding to make it through another school year and fails to act on its own to plan for its students' education. Similarly, no mechanism exists to facilitate annexation when a district is unable to consolidate on its own. The commissioner also needs adequate flexibility in the agency's annexation process to allow it to adapt to unique circumstances of school districts with varying academic, financial, or accreditation problems.

Recommendations

Change in Statute

5.1 Authorize the Commissioner of Education to work with county commissioners courts to ensure the timely annexation of an insolvent school district.

This recommendation would authorize the Commissioner of Education to establish a process for annexing a district that has failed to operate for 10 or more days, or that has formally requested the commissioner's assistance, due to insolvency. The Commissioner of Education would notify each appropriate commissioners court of the failure to operate or formal request, and each commissioners court would be required to annex the territory of the district within its county to one or more school districts in the same county or to any contiguous district in an adjacent county. In the unlikely event that a commissioners court fails to order annexation of the district's territory within 60 days, statute would authorize the Commissioner of Education to order annexation of the insolvent school district.

5.2 Authorize the commissioner to adjust the effective date for a district's annexation.

This recommendation would allow the commissioner to provide for an effective date other than July 1 for a district's annexation. While July 1 should still be the target date for district annexations, this recommendation would allow the commissioner to adjust the date if in the best interest of students.

5.3 Provide the commissioner with flexibility to annex a school district to a non-adjointing district.

Under this recommendation, the commissioner would be authorized to annex a school district to a non-adjointing district if that annexation is in the best interest of students.

5.4 Provide the commissioner with limited authority to use a board of managers beyond two years for the purpose of overseeing the annexation process.

This recommendation would allow the commissioner to extend the appointment of an existing board of managers beyond the two-year limit solely to oversee the process for closure and annexation of a school district. The board of managers would serve during the transition period to help direct operations of a district as it winds down and transfers assets to the receiving district.

5.5 Clarify conflicting provisions to ensure that the commissioner may annex a school district for failure to meet financial accountability standards or loss of accreditation status.

This recommendation would clarify conflicting statutory provisions to ensure that, in addition to annexation for an academically unacceptable district, the commissioner may annex a school district to one or more districts for failure to meet financial accountability standards for two consecutive years or for loss of district accreditation.

Issue 6

Educator Certification Can Be Overseen by the Commissioner of Education Without the Need for a Separate Board.

In 2005, the Legislature abolished the separate state agency that regulated educators and transferred its functions to TEA under the Commissioner of Education, while maintaining a separate governor-appointed board. Having two governor-appointed entities involved in overseeing work that is largely performed by TEA staff can lead to confusion and a lack of clear accountability for ensuring that the certification and oversight of educators is effective. Adding to the inefficient and unnecessary layers of bureaucracy, statute requires educator certification and educator preparation program rules to go for review by a second board, the State Board of Education.

Recommendations

Change in Statute

6.1 Abolish the State Board for Educator Certification and transfer its powers and duties to the Commissioner of Education.

The commissioner would approve all rule changes for the regulation and standards of certified educators and educator preparation programs. The commissioner would have the ultimate responsibility of disciplining certified educators and sanctioning educator preparation programs found out of compliance with state law and rules.

6.2 Remove the State Board of Education's authority to reject proposed rules for educator certification and the regulation of educator preparation programs.

This recommendation would remove the duplicative review of educator rules by two different entities.

6.3 Require the commissioner to establish an advisory committee to assist with the regulation of educators and educator preparation programs.

This recommendation would create an advisory committee to provide input and ensure the involvement of public school educators in setting the standards for and governing all aspects of educator oversight. The advisory committee would not be involved in educator discipline. The commissioner would be directed to appoint a balanced representation of teachers, administrators, and counselors from the public education field; and traditional and alternative certification educator preparation programs.

Issue 7

Elements of Educator Certification Do Not Conform to Commonly Applied Licensing Practices.

Certain educator certification licensing provisions do not follow model licensing and enforcement practices, hindering TEA's ability to provide consistent regulation and to take enforcement action as needed to protect the public.

Recommendations

Change in Statute

7.1 Clarify the statutory requirements for school administrators to report misconduct by certified educators to TEA.

This recommendation would make changes to statute, as follows.

- Require charter school directors to meet the same certified educator misconduct reporting and investigation requirements as superintendents.
- Require superintendents and charter school directors to report any termination or resignation based on a determination that the certified educator solicited or engaged in sexual conduct or was involved in a romantic relationship with a student or minor.
- Authorize the Commissioner of Education to establish rules to govern superintendents' and charter school directors' reporting of changes in certified educators' criminal records to TEA, rather than statutorily mandating the reporting of all changes to TEA.
- Clarify that superintendents and charter school directors must report arrests, terminations, or resignations of certified educators, rather than incidents of misconduct, within seven days of first learning of the action.
- Require superintendents and charter school directors to complete an investigation of a certified educator if they have a reasonable suspicion, rather than the higher standard of reasonable cause to believe, that a certified educator abused or solicited or engaged in sexual conduct or a romantic relationship with a student or minor.

7.2 Grant the commissioner administrative subpoena power to fully investigate certified educator misconduct cases.

School administrators often refuse to provide documents to TEA necessary for the investigation of educator misconduct. This recommendation would provide administrative subpoena power for the production of records, papers, and other objects related to a certified educator misconduct investigation. All information and materials subpoenaed or compiled in connection with an investigation would remain confidential and not be subject to disclosure.

7.3 Require the commissioner to establish a disciplinary matrix to guide the application of sanctions to certified educators for violations of law or rule.

A disciplinary matrix for certified educator violations would ensure fair and consistent application of sanctions. In developing the matrix, TEA would strive to cover the range of violations by certified educators and relate the range of appropriate sanctions to different violations based on their severity. This recommendation would only set up guidelines and would not take away the commissioner's ability to use discretion in making disciplinary decisions based on the specific circumstances of an individual case.

Issue 8

Elements of the Regulation of Educator Preparation Programs Do Not Conform to Commonly Applied Licensing Practices.

Several areas of statute, rules, and procedures regarding the accreditation and regulation of educator preparation programs (EPPs) do not follow model licensing standards, hindering TEA's ability to effectively sanction programs and ensure candidates are fully prepared to enter the classroom.

Recommendations

Change in Statute

8.1 Establish a five-year renewal process for EPPs in statute.

Statute would set a five-year renewal requirement for EPPs and require the Commissioner of Education to adopt, in rule, an evaluation process tied to EPPs' compliance with basic standards and requirements to adequately prepare candidates for educator certification. As part of this recommendation, the commissioner would repeal the rules specifying the ten-year reapplication process and five-year compliance audit.

8.2 Require the commissioner to adopt rules to make information about how to file a complaint about an EPP accessible to EPP students and the public.

This recommendation would require the commissioner to adopt rules requiring EPPs to inform their students about the EPP complaint process and post TEA's contact information along with the complaint process in their facilities. Statute would also require TEA to provide the public with instructions for contacting the agency about a complaint against an EPP on the agency's website.

8.3 Require the commissioner to establish a comprehensive risk-assessment model to guide the monitoring of EPPs.

This recommendation would require the commissioner to establish a risk-based approach to conducting on-site monitoring and inspections that would adjust the amount of time staff spends on site during compliance audits, including visits associated with the EPP renewal process. The commissioner would use the assessment model to determine risk, such as a program's compliance history, operational standards, accountability measures, and accreditations by other organizations.

8.4 Strengthen and clarify the commissioner's authority to sanction EPPs for violations of law or rules.

Under this recommendation, the commissioner would have the same range of sanctions as currently in law for EPPs not meeting accreditation standards. The commissioner would also make sanctioning information accessible to all EPPs and counsel at-risk programs.

Issue 9

TEA's Statute Does Not Reflect Standard Elements of Sunset Reviews.

Among the standard elements considered in a Sunset review, the Sunset Commission adopts across-the-board recommendations as standards for state agencies to reflect criteria in the Sunset Act designed to ensure open, responsive, and effective government. Three of these provisions are missing from TEA's statute and should be applied.

Recommendation

Change in Statute

9.1 Apply three standard Sunset across-the-board recommendations related to conflicts of interest, information on complaints, and alternative dispute resolution.

Issue 10

Texas Has a Continuing Need for the Texas Education Agency.

Ensuring the provision of public education is a key state responsibility. TEA's constitutional and statutory role is to ensure that the billions of dollars spent to educate the children of Texas provide a quality education that meets the needs of all students. TEA's functions of distributing and ensuring the proper use of education funds, measuring student and school performance, and informing the public about the quality of schools are vital to the State. However, TEA's enabling law lacks a clear, concise description of these duties.

Recommendations

Change in Statute

10.1 Continue the Texas Education Agency for 12 years.

This recommendation would continue TEA as an independent agency responsible for overseeing the state's public education system.

10.2 Redefine the commissioner's and TEA's powers and duties in statute to reflect their roles in the public education system.

This recommendation would replace the lengthy section of the Texas Education Code that defines the Commissioner of Education's powers and duties with a concise list of the major duties of that position. In place of the current statutory language, the commissioner would:

- serve as the educational leader of the state, with rulemaking authority as specified in statute;
- serve as the executive head of the agency and oversee its day-to-day operations, with authority to:
 - employ staff necessary to perform the duties of the agency;
 - delegate functions to agency staff;
 - appoint advisory committees as necessary to advise the commissioner in carrying out the duties and mission of the agency;
 - appoint an internal auditor for the agency; and
- carry out the duties imposed on the commissioner by the Legislature.

This recommendation would also replace the section of the Texas Education Code that defines TEA's powers and duties with a concise list of the agency's major duties. In place of the current statutory language, the agency would:

- distribute state and federal funding to public schools and ensure the proper use of those funds;
- monitor public schools for compliance with federal and state guidelines;
- administer the statewide standardized testing program and accountability systems;
- provide assistance to and impose interventions and sanctions on schools that consistently fail to meet state or federal accountability standards;
- provide support to the State Board of Education in developing statewide curriculum standards, adopting instructional materials, managing the instructional materials allotment and distribution process, and carrying out duties related to the Permanent School Fund;
- collect, analyze, and make accessible a wide array of educational and financial data from public schools;
- ensure the quality of public school educators by certifying educators, regulating educator preparation programs, and taking enforcement action in cases of educator misconduct; and
- carry out any other duties imposed on the agency by the Legislature, consistent with the agency's appropriations and mission.

Fiscal Implication Summary

Overall, these recommendations would not result in a significant fiscal impact to the State. Many issues are likely to result in savings in time and effort on the part of TEA staff, if not monetary savings, as the agency's duties are adjusted to better match its previously reduced funding. Recommendations with a fiscal impact are summarized below.

Issue 3 — Transferring regulation of driver training would involve a cost-neutral transfer of about \$1.8 million from TEA to the TDLR, along with authority to fill 12.5 full-time equivalent positions. Eliminating the regulation of certain driver training administrative staff would result in a small revenue loss of \$3,300 per year in fees.

Issue 4 — Recommendations to eliminate certain non-core activities at TEA should result in significant administrative efficiencies, but due to TEA's reduction in funding and staff two sessions ago, no further savings are anticipated. Rather, these changes aim to match the agency's workload to its reduced resources.

Issue 6 — Although cost savings are not the reason the Sunset Commission recommends abolishing the State Board for Educator Certification, the recommendation would result in eliminating the board member travel costs, saving the State about \$12,000 a year.