

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 330
By: Barrientos
Education
4/6/1999
Committee Report (Substituted)

DIGEST

Currently, the Communities in Schools (CIS) program is administered at the state level by the Texas Workforce Commission and by 22 local CIS programs. The CIS program coordinates with a variety of state and local services for children and youth including several programs administered by the Texas Department of Protective and Regulatory Services. C.S.S.B. 330 would establish the transfer and operation of the Communities In Schools program from the Labor Code to the Family Code.

PURPOSE

As proposed, C.S.S.B. 330 establishes the transfer and operation of the Communities In Schools program from the Labor Code to the Family Code.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the secretary of state in SECTION 4(d) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Transfers Chapter 305, Labor Code, to Chapter 264, Family Code, redesignated as Chapter 264I, Family Code, and is amended as follows:

SUBCHAPTER I. New heading: COMMUNITIES IN SCHOOLS PROGRAM

Sec. 264.751. DEFINITIONS. Defines “Communities In Schools program,” “delinquent conduct,” and “student at risk of dropping out of school.” Redesignated from existing Section 305.001, Labor Code. Makes conforming changes.

Sec. 264.752. STATEWIDE OPERATION OF PROGRAM. Establishes that it is the intent of the legislature that programs established under Chapter 305, Labor Code, Article 5221b-9d, and programs established under this Act shall remain eligible to participate in the Communities In Schools program if funds are available and if their performance meets the criteria establishes by the Department of Protective and Regulatory Services (DPRS) for renewal of their contracts. Makes conforming and nonsubstantive changes.

Sec. 264.753. New heading: STATE DIRECTOR. Requires the executive director of DPRS to designate, rather than appoint, a state director, rather than coordinator, for the Communities In Schools program. Makes conforming changes.

Sec. 264.754. New heading: DUTIES OF STATE DIRECTOR. Sets forth the duties of the state director. Makes conforming changes.

Sec. 264.755. AGENCY COOPERATION; MEMORANDUM OF UNDERSTANDING. Requires the Texas Education Agency (TEA) to work together with DPRS, rather than the Texas Workforce Commission (TWC), and the Communities In Schools Inc. to maximize the effectiveness of the Communities In Schools program. Requires DPRS and TEA to develop and mutually agree to a memorandum of understanding to clearly define the responsibilities of each agency and DPRS under this subchapter. Sets forth criteria the memorandum must address. Makes conforming changes.

Sec. 264.756. New heading: FUNDING; EXPANSION OF PARTICIPATION. Requires

DPRS to develop and implement an equitable formula for funding local Communities In Schools programs. Authorizes the formula to provide for the reduction of funds annually contributed by the state to a local program by an amount of not more than 50 percent of the amount contributed for the first year of the program. Authorizes savings accomplished through the implementation of this formula to be used to extend services to counties and municipalities currently not served by a local program and/or to extend services to counties and municipalities currently served by an existing local program. Makes conforming changes.

Sec. 264.757. PARTICIPATION IN PROGRAM. Makes conforming changes.

Sec. 264.758. DONATIONS TO PROGRAM. Deletes text requiring donations to be accepted in an open meeting by a majority of the voting members of the commission. Makes conforming changes.

SECTION 2. Amends Section 302.021(a), Labor Code, by deleting the Communities In Schools program consolidated under the division of workforce development of TWC. Makes conforming changes.

SECTION 3. Amends Section 302.062(g), Labor Code, to establish that block grant funding under this section does not apply to the Communities In Schools program under Chapter 264I, Family Code, to the extent that funds are available to TWC for that program. Deletes text regarding the inmate employment counseling program. Makes conforming changes.

SECTION 4. Sets forth transfers of powers, duties, functions, activities, funds, obligations, contracts, property, records, and employees relating to the Communities In Schools program from TWC to DPRS by September 1, 1999. Establishes that for the 1999 and 2000 state fiscal years the number of employees that are transferred to DPRS is not included in determining DPRS' compliance with any limitation on the number of full-time equivalent positions imposed by the General Appropriations Act. Provides that references in law or administrative rule to TWC or the executive director of TWC relating to the Communities In Schools program means DPRS or the executive director of DPRS. Establishes that a rule of TWC relating to the Communities In Schools program continues as a rule of DPRS until it is superseded by rule of DPRS. Grants rulemaking authority to the secretary of state as necessary to expedite the implementation of this subsection.

SECTION 5. Sets forth conditions that remain in effect for any action concerning the transfer of the Communities In Schools program. Makes application of this Act prospective.

SECTION 6. Effective date: September 1, 1999.

SECTION 7. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

SECTION 1.

Transfers Chapter 305, Labor Code, to Chapter 264, Family Code, redesignated as Chapter 264I, Family Code, and is amended as follows:

Sec. 264.751. DEFINITIONS. Defines "student at risk of dropping out of school."

Sec. 264.752. STATEWIDE OPERATION OF PROGRAM. Sets forth the intent of the legislature that established programs shall remain eligible to participate in the Communities In Schools program providing available funds and performance meets established criteria. Makes conforming changes.

Sec. 264.754. DUTIES OF THE STATE DIRECTOR. Sets forth requirements of the state director. Makes conforming changes.

Sec. 264.755. AGENCY COOPERATION; MEMORANDUM OF UNDERSTANDING. Requires the agency, DPRS, and the Communities In Schools, Inc. to work together to maximize the effectiveness of the Communities in Schools Program. Makes conforming changes.

Sec. 264.756. FUNDING; EXPANSION OF PARTICIPATION. Authorizes savings accomplished through the implementation of a formula to be used to extend services to counties and municipalities currently not served by a local program and/or to extend services to counties and municipalities currently served by an existing local program. Makes conforming changes.

SECTION 2.

Amends Section 302.021(a), Labor Code, by deleting the Communities In Schools program consolidated under the division of workforce development of the TWC. Makes conforming changes.