

## **BILL ANALYSIS**

Senate Research Center  
83R29116 JSL-F

C.S.H.B. 753  
By: Villarreal (Zaffirini)  
Education  
5/15/2013  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Supplemental educational services are additional academic instruction programs designed to increase academic achievement of students in campuses needing improvement. They are provided by a wide variety of organizations and include services such as tutoring remediation and other educational interventions. Current federal law requires public schools not making adequate yearly progress for three consecutive years to offer eligible students the opportunity for free extra academic assistance through supplemental educational services. These requirements, however, are not specifically outlined in current Texas statute.

Adding information about which programs have successfully demonstrated characteristics that foster improvement would allow parents to make the most informed decision about which tutoring services are the best fit for their child. C.S.H.B. 753 requires schools to notify parents of eligible students about resources regarding research-based programs determined improve student performance; specific information on the availability of services; a list of approved local providers; and a description of each provider's services and qualifications. It also requires the Texas Education Agency to establish a process for approving and revoking providers, maintain a publically available list of providers, investigate any complaint against a provider, and promptly remove from the list a provider whose approval has been revoked.

C.S.H.B. 753 increases the likelihood that supplemental educational services improve a student's academic outcome by ensuring that parents have the appropriate information to make informed choices regarding the services available.

C.S.H.B. 753 amends current law relating to certain information to be provided by school districts to parents concerning supplemental educational services and to Texas Education Agency approval and investigation of supplemental educational services providers.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the commissioner of education in SECTION 1 (Section 26.0082, Education Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 26, Education Code, by adding Section 26.0082, as follows:

Sec. 26.0082. SUPPLEMENTAL EDUCATIONAL SERVICES. (a) Defines "rigorous research" in this section.

(b) Requires a school district, as part of the annual notice the district provides to parents under 20 U.S.C. Section 6316(e)(2)(A) concerning supplemental educational services, to include information provided to the district by the Texas Education Agency (TEA) that:

(1) identifies characteristics of supplemental educational services that, based on rigorous research, have been demonstrated to be more likely to foster improvement in student academic performance, including

information concerning the minimum number of hours of tutoring necessary for improved performance; and

(2) sorts, for each subject for which supplemental educational services are provided, supplemental educational services providers serving district students according to the provider's level of effectiveness in improving student performance in the applicable subject area.

(c) Requires TEA to develop and the commissioner of education (commissioner) by rule to establish a process for approving and revoking approval for a supplemental educational services provider. Requires that the process allow TEA to use any publicly available information from any published source in determining whether to approve an entity as a provider, except that TEA is prohibited from using any information that is self-published or published by a provider for marketing purposes.

(d) Requires TEA to maintain a publicly available list of approved providers. Requires TEA, in accordance with standards established by commissioner rule, to promptly investigate a complaint against an approved provider and promptly remove from the list of approved providers a provider for which TEA approval has been revoked.

(e) Requires TEA, not later than the fifth business day after the date on which TEA removes a provider from the list of approved providers, to send notice of the removal to each appropriate school district. Requires the district to provide notice of the removal to parents of appropriate students.

(f) Provides that a supplemental educational services provider for which TEA approval has been revoked because TEA determines that the provider has engaged in fraudulent activity is permanently prohibited from acting as a provider in this state.

SECTION 2. Effective date: September 1, 2013.