

- SUBJECT:** Excluding non-profits from eligibility for certain grants awarded by TEA
- COMMITTEE:** Public Education — favorable, without amendment
- VOTE:** 8 ayes — Eissler, Hochberg, Allen, Aycock, Dutton, Jackson, Patrick, Shelton
- 0 nays
- 3 absent — Farias, Olivo, Weber
- WITNESSES:** For — Portia Bosse, Texas State Teachers Association; (*Registered, but did not testify*: Amanda Brownson, Texas School Alliance; David Duty, Texas Association of Community Schools; Harley Eckhart, Texas Elementary School Principals & Supervisors Association; Monty Exter, Association of Texas Professional Educators; Lindsay Gustafson, TCTA; Alejandra Martin, Texas Association of School Personnel Administrators; Casey McCreary, Texas Association of School Administrators; Mary McRoberts, Texas Alliance of Boys & Girls Clubs; Ted Melina Raab, Texas AFT; Shannon Noble, Texas Counseling Association; Martin Pena, South Texas Association of Schools; Julie Shields, Texas Association of School Boards)
- Against — None
- BACKGROUND:** Education Code, sec. 29.917 authorizes the use of state funds for dropout recovery efforts. In May 2008, the Texas Education Agency issued Request for Application #701-08-116 to award grants for a pilot program to improve dropout recovery. TEA requested applications from local educational agencies, open-enrollment charter schools, institutions of higher education, county departments of education, nonprofit organizations operating as private schools, and education service centers. The commissioner awarded grants to three nonprofit entities.
- DIGEST:** HB 2823 would amend the eligibility requirements for grants awarded to organizations that provide volunteers to teach classroom or after-school programs. The bill would include only those organizations that provided volunteers to teach classroom or after-school programs to students enrolled in a school district or open-enrollment charter school. These

grants would be awarded to organizations for programs to provide technical assistance, professional development, case-managed student services, and programs for the benefit of students enrolled in school districts or open-enrollment charter schools.

The commissioner of education could not award a grant to an organization that served as a substitute for a regular educational program provided by a school district or open-enrollment charter school. The commissioner could not award a grant to a nonprofit organization for services provided as a private school or to a private school.

The bill would express the intent of the Legislature that grants could not be awarded to an organization or nonprofit organization, including dropout recovery grants, such as the grants awarded in 2008 in response to the Texas Education Agency's Request for Applications (RFA) 701-08-116.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2009.

**SUPPORTERS
SAY:**

The Legislature did not intend for the dropout recovery program to become a medium for grants of public money to private schools. The commissioner misinterpreted the statute and should not have awarded the grants to private schools. HB 2823 would state clearly the Legislature's intent that taxpayer money should be spent on public school education programs and should not finance private or alternative education programs. Private schools still could receive grant money if they contracted with a public school district.

**OPPONENTS
SAY:**

This bill would limit the flexibility of the commissioner. Texas has one of the highest dropout rates in the nation, so the state should not limit available solutions. The nonprofit organizations are administering successful dropout recovery programs, and reaching students that otherwise would not complete their education. The state should not act in a way to harm any successful dropout recovery program regardless of the provider.

NOTES:

Rep. Patrick plans to offer an amendment to include paid professionals in addition to volunteers. This amendment would ensure that groups such as

the Boys and Girls club and Junior Achievement who provide supplemental instructional programs are still able to receive grant money.