



UNITED INDEPENDENT SCHOOL DISTRICT AGENDA ACTION ITEM

TOPIC Adoption of Resolution re: Proposed Legislation that Would Assist Public School Districts

Affected by State Budget Cuts

SUBMITTED BY: Juan J. Cruz **OF:** School Attorney

APPROVED FOR TRANSMITTAL TO SCHOOL BOARD: _____

DATE ASSIGNED FOR BOARD CONSIDERATION: March 23, 2011

RECOMMENDATION:

It is recommended that the United ISD Board of Trustees Adopt Resolution re: Proposed Legislation that would assist Public School Districts affected by State Budget Cuts.

RATIONALE:

BUDGETARY INFORMATION

BOARD POLICY REFERENCE AND COMPLIANCE

RESOLUTION

WHEREAS, the 82nd Texas Legislature is currently in regular session; and

WHEREAS, Texas school districts face challenging economic circumstances due to the economic downturn and reductions in contributions to public education from the government of the State of Texas; and

WHEREAS, Texas school district trustees and administrators are having to re-evaluate staffing requirements and make tough choices in the face of reduced budgets; and

WHEREAS, Texas school districts need increased flexibility at the local level to creatively address their own particular situations with their own tailor-made solutions; and

WHEREAS, many members of the Texas Legislature purport to give local control to Texas school districts;

THEREFORE, be it resolved that the Board of Trustees of the United Independent School District encourages the 82nd Texas Legislature to make the following changes to applicable statutes in order to relieve state mandates on school districts and allow creative decision making at the local level:

- Adopt Senate Bill 3 in a form that allows school districts to make adjustments regarding the payment of minimum monthly salaries and days of service credited in calculating minimum monthly salary;
- Adopt Senate Bill 3 in a form that allows school districts the option of using employee furloughs for non-instructional days as a creative response to budgetary and staffing issues;

- Adopt Senate Bill 3's provision to repeal Education Code Section 21.402 (d)'s prior year minimum salary requirement, allowing districts to reduce salaries and thereby save many jobs;
- Adopt Senate Bill 3's provision to eliminate the cap on the number of students receiving instruction in an accelerated instruction group created under Texas Education Code Section 28.0211 (c);
- Adopt Senate Bill 3's provision to prohibit the Commissioner of Education from adopting rules that limit the number of courses a student may take through the state virtual school network under Texas Education Code Section 30A.107(b);
- Adopt Senate Bill 3's provisions that suspend the Texas Education Agency's financial accountability rating system review under Texas Education Code Section 39.082 and the Texas Education Agency's review of a district's future anticipated financial solvency under Texas Education Code Section 39.0821 for the 2011-12 and 2012-2013 school years;
- Adopt Senate Bill 3's provision waiving a district Board of Trustee president's obligation to post a second notice of a public meeting to discuss a district's budget and proposed tax rate under Education Code Section 44.004(b) when the tax rate calculated under Section 44.004 (c)(5)(A)(ii)(b) decreases after the initial publication required by Section 44.004(b);
- Adopt Senate Bill 443 to allow for the use of a district-wide average calculation for classroom student-to-teacher ratios;
- Adopt legislation to amend Texas Education Code Section 11.1513 to allow a school district to waive the requisite posting when filling a vacant classroom teaching position, for which a certificate or license is required, with a person already employed with the district as an administrator;

- Adopt legislation allowing school district to rehire retirees of the district receiving a service retirement annuity under Chapter 824, Texas Government Code at entry-level pay;
- Adopt legislation allowing school districts to offer incentives for retirement to employees without incurring penalty and without an obligation to pay for unemployment compensation insurance under the Texas Unemployment Compensation Act, Texas Labor Code Sections 201.001 et seq. for such an employee. Such legislation should also make an employee who is offered and accepts such retirement incentives ineligible to receive unemployment compensation under those Texas Labor Code Sections.

THEREFORE, be it RESOLVED on this the ____ day of March, 2011 that the Board of Trustees for the United Independent School District does hereby approve the resolution described herein.

President
UISD Board of Trustees

Secretary
UISD Board of Trustees