



## *Synopsis of Senate Committee Amendments\**

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### **Sub. H.B. 79**

126th General Assembly  
(S. Education)

#### **Reporting of licensee misconduct**

The Senate Education Committee revised the House version as follows:

Specifies that the bill's requirements to report misconduct of employees licensed by the State Board of Education to the Superintendent of Public Instruction prevail over any conflicting provisions of collective bargaining agreements or employment contracts entered into after the bill's effective date.

Makes mandatory a provision in the House version authorizing school districts, educational service centers, community schools, chartered nonpublic schools, and county MR/DD boards to move an investigation report of a licensed employee's misconduct from the employee's personnel file to a separate public file if the Superintendent of Public Instruction determines that the misconduct does not warrant taking action against the licensee.

Requires a public children services agency (PCSA) to report to the Superintendent of Public Instruction information about child abuse or neglect involving a State Board licensee only when the abuse or neglect is confirmed and is related to the licensee's duties. The PCSA must provide: (1) a summary of the allegations contained in the report, (2) the final disposition or status of the PCSA's investigation, and (3) upon request from the Superintendent, additional information about the alleged child victim, the alleged perpetrator, and other persons considered important to the investigation.

Requires a PCSA to obtain approval from the county prosecutor to release information to the Superintendent if the prosecutor intends to pursue criminal charges against the licensee named in the report.

Specifies that information about the person who reported the child abuse or neglect to a PCSA may be released to the Superintendent only with the person's permission.

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\* This synopsis does not address amendments that may have been adopted on the Senate floor.

Grants immunity from civil and criminal liability to PCSA employees who provide information to the Superintendent about child abuse or neglect committed by State Board licensees.

Clarifies that a PCSA must provide information to the Department of Job and Family Services about child abuse and neglect reports involving a person applying for licensure to operate a type A family day-care home or certification to operate a type B family day-care home only when those reports are substantiated.

Requires a PCSA that shares information about a licensee with the Superintendent of Public Instruction or the Department of Job and Family Services to provide notification that the information is confidential.

### **Reporting of attendance data**

The Committee added the following provisions to the bill:

Delays the requirement for school districts to certify their formula ADMs twice annually for one year, until fiscal year 2007.

Requires the Department of Education to propose to the General Assembly a penalty for school districts and community schools that intentionally report inaccurate attendance data.

### **Data verification codes**

The Committee added the following provisions to the bill:

Accelerates the effective date of the following provisions of current law from July 1, 2006, to this bill's effective date: (1) authorization for the State Board of Education to require the use of student data verification codes to protect student confidentiality, (2) the requirement to include student data verification codes on achievement tests, and (3) the provision prohibiting entities hired to score the achievement tests from releasing test scores, except to students' school districts.

Permits the Department of Education to have access to student data verification codes for the purpose of administering the Educational Choice Scholarship Pilot Program.

Specifies that the Department's documents relative to the Educational Choice Scholarship Pilot Program are generally public records, except for documents that contain both a student's data verification code and personally identifiable student data.

Requires state institutions that serve special education students to use a student's data verification code when applying for tuition reimbursement from the student's resident school district.

**Other provisions**

The Committee added the following provisions to the bill:

Requires the Department of Education to disaggregate the number of handicapped preschool children served in the previous fiscal year by developmental deficiency (rather than by the six categories used to calculate special education payments for school-age children) when reporting that number to the General Assembly.

Requires contracting entities to complete value-added analyses of student data commissioned by the Department in accordance with timelines established by the Superintendent of Public Instruction.

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