

By: Kolkhorst

S.B. No. 1566

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to certain powers and duties of the board of trustees of an  
3 independent school district and the governing body of an  
4 open-enrollment charter school.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 11.1511, Education Code, is amended by  
7 adding Subsection (d) to read as follows:

8 (d) The board may require a school district's chief business  
9 official or curriculum director or a person holding an equivalent  
10 position to appear at an executive session of the board or to  
11 testify at a public hearing held by the board. A superintendent may  
12 not interfere with an appearance or testimony required by the board  
13 under this subsection.

14 SECTION 2. Section 11.1512, Education Code, is amended by  
15 adding Subsections (c-1) and (g) to read as follows:

16 (c-1) Except as otherwise provided by this subsection, a  
17 district shall provide a member of the board of trustees with  
18 information, documents, and records requested under Subsection (c)  
19 not later than the 20th business day after the date the district  
20 receives the request. The district may take a reasonable  
21 additional period of time, not to exceed the 30th business day after  
22 the date the district receives the request, to respond to a request  
23 if compliance by the 20th business day would be unduly burdensome  
24 given the amount, age, or location of the requested information.

1 The district shall inform the trustee of the reason for the delay in  
2 providing the requested information and the date by which the  
3 information will be provided.

4 (g) A district shall create a policy on visits to a district  
5 campus or other facility by a member of the board of trustees of the  
6 district.

7 SECTION 3. Subchapter D, Chapter 11, Education Code, is  
8 amended by adding Sections 11.1515 and 11.1516 to read as follows:

9 Sec. 11.1515. OVERSIGHT OF ACADEMIC ACHIEVEMENT. The board  
10 of trustees of an independent school district or the governing body  
11 of an open-enrollment charter school shall provide oversight  
12 regarding student academic achievement and strategic leadership  
13 for maximizing student performance.

14 Sec. 11.1516. DISTRICT DATA ON ACADEMIC ACHIEVEMENT.  
15 (a) On request by the board of trustees of an independent school  
16 district, the agency shall create an Internet website that members  
17 of the board may use to review campus and district academic  
18 achievement data. The website must also be made available to  
19 campuses in a similar manner that access is provided to the board.

20 (b) The Internet website must:

21 (1) include district information, disaggregated by  
22 campus, grade, sex, race, academic quarter or semester, as  
23 applicable, and school year, regarding the following:

24 (A) student academic achievement and growth;

25 (B) teacher and student attendance; and

26 (C) student discipline records; and

27 (2) be updated at least once each quarter of the school

1 year.

2 (c) The commissioner shall provide information that permits  
3 a board member to compare the district's academic performance with  
4 the academic performance of other districts of similar size and  
5 racial and economic demographics.

6 (d) A district must provide requested information to the  
7 commissioner for the creation of an Internet website under this  
8 section.

9 (e) Confidential information received by the commissioner  
10 under this section from a district remains confidential. The  
11 commissioner shall design the Internet website to ensure that:

12 (1) public information is made available to the  
13 public; and

14 (2) information submitted by districts noted as  
15 confidential is not made available to the public.

16 (f) A request for public information under this section  
17 shall be submitted to the district that provides the agency with the  
18 information. The agency may not release information submitted by a  
19 district that is noted as confidential information.

20 (g) The agency may contract with a private entity as  
21 necessary to implement this section.

22 (h) The commissioner may adopt rules for the implementation  
23 of this section.

24 SECTION 4. Section 11.159, Education Code, is amended by  
25 amending Subsection (b) and adding Subsections (c) and (d) to read  
26 as follows:

27 (b) A trustee must complete any training required by the

1 State Board of Education. The minutes of the last regular meeting  
2 of the board of trustees held before an election of trustees [~~during~~  
3 ~~a calendar year~~] must reflect whether each trustee has met or is  
4 deficient [~~delinquent~~] in meeting the training required for the  
5 trustee [~~to be completed~~] as of the first anniversary of the date of  
6 the trustee's election or appointment [~~date of the meeting~~]. If the  
7 minutes reflect that a trustee is deficient, the district shall  
8 post the minutes on the district's Internet website within 10  
9 business days of the meeting and maintain the posting until the  
10 trustee meets the requirements.

11 (c) The State Board of Education shall require a trustee to  
12 complete at least three hours of training every two years on  
13 evaluating student academic performance. The training must be  
14 research-based and designed to support the oversight role of the  
15 board of trustees under Section 11.1515. A candidate for trustee  
16 may complete the training up to one year before the candidate is  
17 elected. A new trustee shall complete the training within 120 days  
18 after the date of the trustee's election or appointment. A  
19 returning trustee shall complete the training by the second  
20 anniversary of the completion of the trustee's previous training.

21 (d) A trustee or candidate for trustee may complete training  
22 required under Subsection (c) at a regional education service  
23 center or through another authorized provider. A provider must  
24 certify the completion of the training by a trustee or candidate.

25 SECTION 5. Subchapter D, Chapter 11, Education Code, is  
26 amended by adding Section 11.182 to read as follows:

27 Sec. 11.182. BOARD IMPROVEMENT AND EVALUATION TOOL.

1 (a) The commissioner shall develop a board of trustees improvement  
2 and evaluation tool. The evaluation tool must be research-based  
3 and designed to assist a school district in improving board  
4 oversight and academic achievement.

5 (b) A board of trustees may determine whether to use the  
6 evaluation tool, except as required by Section 39.102(a).

7 SECTION 6. Section 39.102(a), Education Code, is amended to  
8 read as follows:

9 (a) If a school district does not satisfy the accreditation  
10 criteria under Section 39.052, the academic performance standards  
11 under Section 39.053 or 39.054, or any financial accountability  
12 standard as determined by commissioner rule, or if considered  
13 appropriate by the commissioner on the basis of a special  
14 accreditation investigation under Section 39.057, the commissioner  
15 shall take any of the following actions to the extent the  
16 commissioner determines necessary:

17 (1) issue public notice of the deficiency to the board  
18 of trustees;

19 (2) order a hearing conducted by the board of trustees  
20 of the district for the purpose of notifying the public of the  
21 insufficient performance, the improvements in performance expected  
22 by the agency, and the interventions and sanctions that may be  
23 imposed under this section if the performance does not improve;

24 (3) order the preparation of a student achievement  
25 improvement plan that addresses each academic achievement  
26 indicator under Section 39.053(c) for which the district's  
27 performance is insufficient, the submission of the plan to the

1 commissioner for approval, and implementation of the plan;

2           (4) order a hearing to be held before the commissioner  
3 or the commissioner's designee at which the president of the board  
4 of trustees of the district and the superintendent shall appear and  
5 explain the district's low performance, lack of improvement, and  
6 plans for improvement;

7           (5) arrange a monitoring review of the district;

8           (6) appoint an agency monitor to participate in and  
9 report to the agency on the activities of the board of trustees or  
10 the superintendent;

11           (7) appoint a conservator to oversee the operations of  
12 the district;

13           (8) appoint a management team to direct the operations  
14 of the district in areas of insufficient performance or require the  
15 district to obtain certain services under a contract with another  
16 person;

17           (9) if a district has a current accreditation status  
18 of accredited-warned or accredited-probation, fails to satisfy any  
19 standard under Section 39.054(e), or fails to satisfy financial  
20 accountability standards as determined by commissioner rule,  
21 appoint a board of managers to exercise the powers and duties of the  
22 board of trustees;

23           (10) if for two consecutive school years, including  
24 the current school year, a district has received an accreditation  
25 status of accredited-warned or accredited-probation, has failed to  
26 satisfy any standard under Section 39.054(e), or has failed to  
27 satisfy financial accountability standards as determined by

1 commissioner rule, revoke the district's accreditation and:

2 (A) order closure of the district and annex the  
3 district to one or more adjoining districts under Section 13.054;  
4 or

5 (B) in the case of a home-rule school district or  
6 open-enrollment charter school, order closure of all programs  
7 operated under the district's or school's charter; [~~or~~]

8 (11) if a district has failed to satisfy any standard  
9 under Section 39.054(e) due to the district's dropout rates, impose  
10 sanctions designed to improve high school completion rates,  
11 including:

12 (A) ordering the development of a dropout  
13 prevention plan for approval by the commissioner;

14 (B) restructuring the district or appropriate  
15 school campuses to improve identification of and service to  
16 students who are at risk of dropping out of school, as defined by  
17 Section 29.081;

18 (C) ordering lower student-to-counselor ratios  
19 on school campuses with high dropout rates; and

20 (D) ordering the use of any other intervention  
21 strategy effective in reducing dropout rates, including mentor  
22 programs and flexible class scheduling; or

23 (12) order the use of the board improvement and  
24 evaluation tool as provided by Section 11.182.

25 SECTION 7. Section 39.107(b-1), Education Code, is amended  
26 to read as follows:

27 (b-1) A campus turnaround plan must include:

1           (1) a detailed description of the academic programs to  
2 be offered at the campus, including instructional methods, length  
3 of school day and school year, academic credit and promotion  
4 criteria, and programs to serve special student populations;

5           (2) the term of the charter, if a district charter is  
6 to be granted for the campus under Section 12.0522;

7           (3) written comments from the campus-level committee  
8 established under Section 11.251, if applicable, parents, and  
9 teachers at the campus; ~~and~~

10           (4) a detailed description of the budget, staffing,  
11 and financial resources required to implement the plan, including  
12 any supplemental resources to be provided by the district or other  
13 identified sources; and

14           (5) a detailed description for developing and  
15 supporting the oversight of academic achievement and student  
16 performance by the board of trustees under Section 11.1515.

17           SECTION 8. A person serving on the board of trustees of a  
18 school district on the effective date of this Act must complete the  
19 training required by Section 11.159(c), Education Code, as added by  
20 this Act, not later than September 1, 2018.

21           SECTION 9. This Act takes effect September 1, 2017.