Blake G. Powell
Sara Hardner Leon
Colby R. Nichols
Andrew Tatgenhorst
Darrick W. Eugene
Mackenzie Lewis
Casandra Johnson
William C. Bednar, *Of Counsel*

POWELL & LEONLLP

Jay Youngblood
Tyler, Texas

John J. Janssen, Ph.D.
Corpus Christi, Texas

Rick W. Powell
Pittsburg/Lewisville, Texas

May 25, 2017

Via Electronic Mail: ryan.turner@qisd.net
And Via U.S. First Class Mail
Mr. Ryan Turner
Superintendent of Schools
Quanah ISD
801 Elbert Street
Quanah, Texas 79252

Re: Texas Education Code Section 11.060

Dear Mr. Turner:

You have asked what the penalty would be for a school district's failure to comply with Section 11.060 of the Texas Education Code. The answer depends on the enforcement mechanism.

Section 11 of the Texas Education Code does not contain any specific enforcement vehicle for compliance with its terms. As a result, this would likely either fall under the broad authority of the Commissioner of Education or a court's authority.

If a member of the public found that the District was out of compliance with a specific statutory provision, that person could seek a writ of mandamus from a court with proper jurisdiction. A writ of mandamus would simply be an order compelling the district to comply with the specific statutory provision.

Likewise, a member of the public may report the matter to the Commissioner of Education who may initiate a special accreditation investigation. Section 39.057 permits the Commissioner to conduct an accreditation investigation into any infraction the Commissioner deems appropriate. If found to be in violation, the Commissioner could apply interventions and sanctions as outlined in Section 39.102.

A special accreditation investigation would also likely result in a review of many other district practices. It is also important to note, that both of these avenues would likely incur costly legal defenses.

I hope this correspondence is helpful. As always, please let me know if I can be of any further assistance to Quanah ISD.

With best regards, I am,

Respectfully yours,

Blake G. Powell
For the Firm