

AN ACT

relating to permitting a school district that has failed to satisfy performance standards to partner with an institution of higher education to improve district performance.

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

SECTION 1. Section 39.102(a), Education Code, is amended to read as follows:

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

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

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

(3) order the preparation of a student achievement improvement plan that addresses each academic achievement

1 indicator under Section 39.053(c) for which the district's
2 performance is insufficient, the submission of the plan to the
3 commissioner for approval, and implementation of the plan;

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

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

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

13 (7) appoint a conservator to oversee the operations of
14 the district;

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

19 (9) authorize the district to enter into a memorandum
20 of understanding with an institution of higher education that
21 provides for the assistance of the institution of higher education
22 in improving the district's performance;

23 (10) if a district has a current accreditation status
24 of accredited-warned or accredited-probation, fails to satisfy any
25 standard under Section 39.054(e), or fails to satisfy financial
26 accountability standards as determined by commissioner rule,
27 appoint a board of managers to exercise the powers and duties of the

1 board of trustees;

2 (11) [~~(10)~~] if for two consecutive school years,
3 including the current school year, a district has received an
4 accreditation status of accredited-warned or accredited-probation,
5 has failed to satisfy any standard under Section 39.054(e), or has
6 failed to satisfy financial accountability standards as determined
7 by commissioner rule, revoke the district's accreditation and:

8 (A) order closure of the district and annex the
9 district to one or more adjoining districts under Section 13.054;
10 or

11 (B) in the case of a home-rule school district or
12 open-enrollment charter school, order closure of all programs
13 operated under the district's or school's charter; or

14 (12) [~~(11)~~] if a district has failed to satisfy any
15 standard under Section 39.054(e) due to the district's dropout
16 rates, impose sanctions designed to improve high school completion
17 rates, including:

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

20 (B) restructuring the district or appropriate
21 school campuses to improve identification of and service to
22 students who are at risk of dropping out of school, as defined by
23 Section 29.081;

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

26 (D) ordering the use of any other intervention
27 strategy effective in reducing dropout rates, including mentor

1 programs and flexible class scheduling.

2 SECTION 2. Section 39.111(c), Education Code, is amended to
3 read as follows:

4 (c) A conservator or management team, if directed by the
5 commissioner, shall prepare a plan for the implementation of action
6 under Section 39.102(a)(10) or (11) [~~39.102(a)(9) or (10)~~]. The
7 conservator or management team:

8 (1) may direct an action to be taken by the principal
9 of a campus, the superintendent of the district, or the board of
10 trustees of the district;

11 (2) may approve or disapprove any action of the
12 principal of a campus, the superintendent of the district, or the
13 board of trustees of the district;

14 (3) may not take any action concerning a district
15 election, including ordering or canceling an election or altering
16 the date of or the polling places for an election;

17 (4) may not change the number of or method of selecting
18 the board of trustees;

19 (5) may not set a tax rate for the district; and

20 (6) may not adopt a budget for the district that
21 provides for spending a different amount, exclusive of required
22 debt service, from that previously adopted by the board of
23 trustees.

24 SECTION 3. This Act applies beginning with the 2017-2018
25 school year.

26 SECTION 4. This Act takes effect immediately if it receives
27 a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2017.

President of the Senate

Speaker of the House

I certify that H.B. No. 1553 was passed by the House on May 9, 2017, by the following vote: Yeas 142, Nays 3, 2 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 1553 on May 25, 2017, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 1553 on May 27, 2017, by the following vote: Yeas 140, Nays 5, 2 present, not voting.

Chief Clerk of the House

H.B. No. 1553

I certify that H.B. No. 1553 was passed by the Senate, with amendments, on May 23, 2017, by the following vote: Yeas 31, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 1553 on May 28, 2017, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor