

1-1 By: Kolkhorst S.B. No. 1566
 1-2 (In the Senate - Filed March 8, 2017; March 21, 2017, read
 1-3 first time and referred to Committee on Education; April 18, 2017,
 1-4 reported adversely, with favorable Committee Substitute by the
 1-5 following vote: Yeas 10, Nays 0; April 18, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Taylor of Galveston	X			
1-8 Lucio	X			
1-9 Bettencourt	X			
1-10 Campbell	X			
1-11 Hall			X	
1-12 Huffines	X			
1-13 Hughes	X			
1-14 Seliger	X			
1-15 Taylor of Collin	X			
1-16 Uresti	X			
1-17 West	X			

1-19 COMMITTEE SUBSTITUTE FOR S.B. No. 1566 By: Taylor of Collin

1-20 A BILL TO BE ENTITLED
 1-21 AN ACT

1-22 relating to certain powers and duties of the board of trustees of an
 1-23 independent school district and the governing body of an
 1-24 open-enrollment charter school.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Section 11.1511, Education Code, is amended by
 1-27 adding Subsection (d) to read as follows:

1-28 (d) The board may require a school district's chief business
 1-29 official or curriculum director or a person holding an equivalent
 1-30 position to appear at an executive session of the board or to
 1-31 testify at a public hearing held by the board. A superintendent may
 1-32 not interfere with an appearance or testimony required by the board
 1-33 under this subsection.

1-34 SECTION 2. Section 11.1512, Education Code, is amended by
 1-35 adding Subsections (c-1) and (g) to read as follows:

1-36 (c-1) Except as otherwise provided by this subsection, a
 1-37 district shall provide a member of the board of trustees with
 1-38 information, documents, and records requested under Subsection (c)
 1-39 not later than the 20th business day after the date the district
 1-40 receives the request. The district may take a reasonable
 1-41 additional period of time, not to exceed the 30th business day after
 1-42 the date the district receives the request, to respond to a request
 1-43 if compliance by the 20th business day would be unduly burdensome
 1-44 given the amount, age, or location of the requested information.
 1-45 The district shall inform the trustee of the reason for the delay in
 1-46 providing the requested information and the date by which the
 1-47 information will be provided.

1-48 (g) A district shall create a policy on visits to a district
 1-49 campus or other facility by a member of the board of trustees of the
 1-50 district.

1-51 SECTION 3. Subchapter D, Chapter 11, Education Code, is
 1-52 amended by adding Sections 11.1515 and 11.1516 to read as follows:

1-53 Sec. 11.1515. OVERSIGHT OF ACADEMIC ACHIEVEMENT. The board
 1-54 of trustees of an independent school district or the governing body
 1-55 of an open-enrollment charter school shall provide oversight
 1-56 regarding student academic achievement and strategic leadership
 1-57 for maximizing student performance.

1-58 Sec. 11.1516. DISTRICT DATA ON ACADEMIC ACHIEVEMENT.
 1-59 (a) On request by the board of trustees of an independent school
 1-60 district, the agency shall create an Internet website that members

2-1 of the board may use to review campus and district academic
 2-2 achievement data. The website must also be made available to
 2-3 campuses in a similar manner that access is provided to the board.

2-4 (b) The Internet website must:

2-5 (1) include district information, disaggregated by
 2-6 campus, grade, sex, race, academic quarter or semester, as
 2-7 applicable, and school year, regarding the following:

2-8 (A) student academic achievement and growth;

2-9 (B) teacher and student attendance; and

2-10 (C) student discipline records; and

2-11 (2) be updated at least once each quarter of the school
 2-12 year.

2-13 (c) The commissioner shall provide information that permits
 2-14 a board member to compare the district's academic performance with
 2-15 the academic performance of other districts of similar size and
 2-16 racial and economic demographics.

2-17 (d) A district must provide requested information to the
 2-18 commissioner for the creation of an Internet website under this
 2-19 section.

2-20 (e) Confidential information received by the commissioner
 2-21 under this section from a district remains confidential. The
 2-22 commissioner shall design the Internet website to ensure that:

2-23 (1) public information is made available to the
 2-24 public; and

2-25 (2) information submitted by districts noted as
 2-26 confidential is not made available to the public.

2-27 (f) A request for public information under this section
 2-28 shall be submitted to the district that provides the agency with the
 2-29 information. The agency may not release information submitted by a
 2-30 district that is noted as confidential information.

2-31 (g) The agency may contract with a private entity as
 2-32 necessary to implement this section.

2-33 (h) The commissioner may adopt rules for the implementation
 2-34 of this section.

2-35 SECTION 4. Section 11.159, Education Code, is amended by
 2-36 amending Subsection (b) and adding Subsections (c) and (d) to read
 2-37 as follows:

2-38 (b) A trustee must complete any training required by the
 2-39 State Board of Education. The minutes of the last regular meeting
 2-40 of the board of trustees held before an election of trustees [~~during~~
 2-41 ~~a calendar year~~] must reflect whether each trustee has met or is
 2-42 deficient [~~delinquent~~] in meeting the training required for the
 2-43 trustee [~~to be completed~~] as of the first anniversary of the date of
 2-44 the trustee's election or appointment [~~date of the meeting~~]. If the
 2-45 minutes reflect that a trustee is deficient, the district shall
 2-46 post the minutes on the district's Internet website within 10
 2-47 business days of the meeting and maintain the posting until the
 2-48 trustee meets the requirements.

2-49 (c) The State Board of Education shall require a trustee to
 2-50 complete at least three hours of training every two years on
 2-51 evaluating student academic performance. The training must be
 2-52 research-based and designed to support the oversight role of the
 2-53 board of trustees under Section 11.1515. A candidate for trustee
 2-54 may complete the training up to one year before the candidate is
 2-55 elected. A new trustee shall complete the training within 120 days
 2-56 after the date of the trustee's election or appointment. A
 2-57 returning trustee shall complete the training by the second
 2-58 anniversary of the completion of the trustee's previous training.

2-59 (d) A trustee or candidate for trustee may complete training
 2-60 required under Subsection (c) at a regional education service
 2-61 center or through another authorized provider. A provider must
 2-62 certify the completion of the training by a trustee or candidate.

2-63 SECTION 5. Subchapter D, Chapter 11, Education Code, is
 2-64 amended by adding Section 11.182 to read as follows:

2-65 Sec. 11.182. BOARD IMPROVEMENT AND EVALUATION TOOL.

2-66 (a) The commissioner shall develop a board of trustees improvement
 2-67 and evaluation tool. The evaluation tool must be research-based
 2-68 and designed to assist a school district in improving board
 2-69 oversight and academic achievement.

3-1 (b) A board of trustees may determine whether to use the
 3-2 evaluation tool, except as required by Section 39.102(a).

3-3 SECTION 6. Section 39.102(a), Education Code, is amended to
 3-4 read as follows:

3-5 (a) If a school district does not satisfy the accreditation
 3-6 criteria under Section 39.052, the academic performance standards
 3-7 under Section 39.053 or 39.054, or any financial accountability
 3-8 standard as determined by commissioner rule, or if considered
 3-9 appropriate by the commissioner on the basis of a special
 3-10 accreditation investigation under Section 39.057, the commissioner
 3-11 shall take any of the following actions to the extent the
 3-12 commissioner determines necessary:

3-13 (1) issue public notice of the deficiency to the board
 3-14 of trustees;

3-15 (2) order a hearing conducted by the board of trustees
 3-16 of the district for the purpose of notifying the public of the
 3-17 insufficient performance, the improvements in performance expected
 3-18 by the agency, and the interventions and sanctions that may be
 3-19 imposed under this section if the performance does not improve;

3-20 (3) order the preparation of a student achievement
 3-21 improvement plan that addresses each academic achievement
 3-22 indicator under Section 39.053(c) for which the district's
 3-23 performance is insufficient, the submission of the plan to the
 3-24 commissioner for approval, and implementation of the plan;

3-25 (4) order a hearing to be held before the commissioner
 3-26 or the commissioner's designee at which the president of the board
 3-27 of trustees of the district and the superintendent shall appear and
 3-28 explain the district's low performance, lack of improvement, and
 3-29 plans for improvement;

3-30 (5) arrange a monitoring review of the district;

3-31 (6) appoint an agency monitor to participate in and
 3-32 report to the agency on the activities of the board of trustees or
 3-33 the superintendent;

3-34 (7) appoint a conservator to oversee the operations of
 3-35 the district;

3-36 (8) appoint a management team to direct the operations
 3-37 of the district in areas of insufficient performance or require the
 3-38 district to obtain certain services under a contract with another
 3-39 person;

3-40 (9) if a district has a current accreditation status
 3-41 of accredited-warned or accredited-probation, fails to satisfy any
 3-42 standard under Section 39.054(e), or fails to satisfy financial
 3-43 accountability standards as determined by commissioner rule,
 3-44 appoint a board of managers to exercise the powers and duties of the
 3-45 board of trustees;

3-46 (10) if for two consecutive school years, including
 3-47 the current school year, a district has received an accreditation
 3-48 status of accredited-warned or accredited-probation, has failed to
 3-49 satisfy any standard under Section 39.054(e), or has failed to
 3-50 satisfy financial accountability standards as determined by
 3-51 commissioner rule, revoke the district's accreditation and:

3-52 (A) order closure of the district and annex the
 3-53 district to one or more adjoining districts under Section 13.054;
 3-54 or

3-55 (B) in the case of a home-rule school district or
 3-56 open-enrollment charter school, order closure of all programs
 3-57 operated under the district's or school's charter; ~~or~~

3-58 (11) if a district has failed to satisfy any standard
 3-59 under Section 39.054(e) due to the district's dropout rates, impose
 3-60 sanctions designed to improve high school completion rates,
 3-61 including:

3-62 (A) ordering the development of a dropout
 3-63 prevention plan for approval by the commissioner;

3-64 (B) restructuring the district or appropriate
 3-65 school campuses to improve identification of and service to
 3-66 students who are at risk of dropping out of school, as defined by
 3-67 Section 29.081;

3-68 (C) ordering lower student-to-counselor ratios
 3-69 on school campuses with high dropout rates; and

4-1 (D) ordering the use of any other intervention
4-2 strategy effective in reducing dropout rates, including mentor
4-3 programs and flexible class scheduling; or
4-4 (12) order the use of the board improvement and
4-5 evaluation tool as provided by Section 11.182.

4-6 SECTION 7. Section 39.107(b-1), Education Code, is amended
4-7 to read as follows:

4-8 (b-1) A campus turnaround plan must include:

4-9 (1) a detailed description of the academic programs to
4-10 be offered at the campus, including instructional methods, length
4-11 of school day and school year, academic credit and promotion
4-12 criteria, and programs to serve special student populations;

4-13 (2) the term of the charter, if a district charter is
4-14 to be granted for the campus under Section 12.0522;

4-15 (3) written comments from the campus-level committee
4-16 established under Section 11.251, if applicable, parents, and
4-17 teachers at the campus; ~~and~~

4-18 (4) a detailed description of the budget, staffing,
4-19 and financial resources required to implement the plan, including
4-20 any supplemental resources to be provided by the district or other
4-21 identified sources; and

4-22 (5) a detailed description for developing and
4-23 supporting the oversight of academic achievement and student
4-24 performance by the board of trustees under Section 11.1515.

4-25 SECTION 8. A person serving on the board of trustees of a
4-26 school district on the effective date of this Act must complete the
4-27 training required by Section 11.159(c), Education Code, as added by
4-28 this Act, not later than September 1, 2018.

4-29 SECTION 9. This Act takes effect September 1, 2017.

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