

By: Isett

H.B. No. 2869

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the authority of home-rule school districts and certain
3 school campuses and programs to adopt alternative accountability
4 plans.

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

6 SECTION 1. Section 12.013, Education Code, is amended by
7 adding Subsection (c) to read as follows:

8 (c) Notwithstanding Subsection (b)(3)(P), a home-rule
9 school district is not subject to provisions of this title relating
10 to public school accountability under Subchapters B, C, D, and G,
11 Chapter 39, or to rules adopted under those provisions if:

12 (1) the district submits to the commissioner an
13 alternative accountability plan developed by the district that:

14 (A) includes use of assessment instruments
15 developed or adopted by the district to measure individual student
16 progress; and

17 (B) provides for accountability indicators that
18 are consistent with the goals identified in the district's charter;
19 and

20 (2) the alternative accountability plan is approved by
21 the commissioner.

22 SECTION 2. Section 12.016, Education Code, is amended to
23 read as follows:

24 Sec. 12.016. CONTENT. Each home-rule school district

1 charter must:

2 (1) describe the educational program to be offered;

3 (2) provide that continuation of the home-rule school
4 district charter is contingent on:

5 (A) acceptable student performance on assessment
6 instruments adopted under Subchapter B, Chapter 39, or alternative
7 assessment instruments approved for that purpose under Section
8 12.013(c); and

9 (B) compliance with other applicable
10 accountability provisions under Chapter 39 or an alternative
11 accountability plan approved under Section 12.013(c);

12 (3) specify any basis, in addition to a basis
13 specified by this subchapter, on which the charter may be placed on
14 probation or revoked;

15 (4) describe the governing structure of the district
16 and campuses;

17 (5) specify any procedure or requirement, in addition
18 to those under Chapter 38, that the district will follow to ensure
19 the health and safety of students and employees;

20 (6) describe the process by which the district will
21 adopt an annual budget, including a description of the use of
22 program-weight funds;

23 (7) describe the manner in which an annual audit of
24 financial and programmatic operations of the district is to be
25 conducted, including the manner in which the district will provide
26 information necessary for the district to participate in the Public
27 Education Information Management System (PEIMS) to the extent

1 required by this subchapter; and

2 (8) include any other provision the charter commission
3 considers necessary.

4 SECTION 3. Section 12.056, Education Code, is amended by
5 adding Subsection (c) to read as follows:

6 (c) Notwithstanding Subsection (b)(2)(I), a campus or
7 program for which a charter is granted under this subchapter is not
8 subject to provisions of this title relating to public school
9 accountability under Subchapters B, C, D, and G, Chapter 39, or to
10 rules adopted under those provisions if:

11 (1) the campus or program submits to the commissioner
12 an alternative accountability plan developed by the campus or
13 program that:

14 (A) includes use of assessment instruments
15 developed or adopted by the campus or program to measure individual
16 student progress; and

17 (B) provides for accountability indicators that
18 are consistent with the goals identified in the charter of the
19 campus or program; and

20 (2) the alternative accountability plan is approved by
21 the commissioner.

22 SECTION 4. Section 12.059, Education Code, is amended to
23 read as follows:

24 Sec. 12.059. CONTENT. Each charter granted under this
25 subchapter must:

26 (1) describe the educational program to be offered,
27 which may be a general or specialized program;

1 (2) provide that continuation of the charter is
2 contingent on satisfactory student performance under Subchapter B,
3 Chapter 39, or under an alternative accountability plan approved
4 under Section 12.056(c) and on compliance with other applicable
5 accountability provisions under Chapter 39 or the alternative
6 accountability plan;

7 (3) specify any basis, in addition to a basis
8 specified by this subchapter, on which the charter may be placed on
9 probation or revoked;

10 (4) prohibit discrimination in admission on the basis
11 of national origin, ethnicity, race, religion, or disability;

12 (5) describe the governing structure of the campus or
13 program;

14 (6) specify any procedure or requirement, in addition
15 to those under Chapter 38, that the campus or program will follow to
16 ensure the health and safety of students and employees; and

17 (7) describe the manner in which an annual audit of
18 financial and programmatic operations of the campus or program is
19 to be conducted, including the manner in which the campus or program
20 will provide information necessary for the school district in which
21 it is located to participate, as required by this code or by State
22 Board of Education rule, in the Public Education Information
23 Management System (PEIMS).

24 SECTION 5. This Act takes effect immediately if it receives
25 a vote of two-thirds of all the members elected to each house, as
26 provided by Section 39, Article III, Texas Constitution. If this
27 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2009.