

By: Dutton

H.B. No. 492

A BILL TO BE ENTITLED

AN ACT

relating to procedures for management of certain public school campuses and school districts that do not satisfy certain performance standards.

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

SECTION 1. Section 39.111, Education Code, is amended by amending Subsection (b) and adding Subsection (b-1) to read as follows:

(b) On or before the 90th day after the date the conservator or management team is appointed [~~At least every 90 days~~], the commissioner shall review the need for the conservator or management team and shall remove the conservator or management team unless the commissioner determines that continued appointment is necessary for effective governance of the district or delivery of instructional services. The commissioner shall remove the conservator or management team on or before the 180th day after the date of appointment.

(b-1) Every 90 days, the conservator or management team shall file a report with the governor, the speaker of the house of representatives, the lieutenant governor, and each state representative and senator who represents any part of the area in which the school district is located. The report must indicate the current status of the district, including any progress made since the appointment or last report, as applicable, problems identified,

1 and solutions suggested or implemented.

2 SECTION 2. Subchapter E, Chapter 39, Education Code, is
3 amended by adding Section 39.1111 to read as follows:

4 Sec. 39.1111. MONITOR. (a) Every 90 days, a monitor
5 appointed to participate in and report to the agency on activities
6 of the board of trustees or the superintendent under this
7 subchapter shall file a report with the governor, the speaker of the
8 house of representatives, the lieutenant governor, and each state
9 representative and senator who represents any part of the area in
10 which the district is located. The report must indicate the current
11 status of the district, including any progress made since the
12 appointment or last report, as applicable, problems identified, and
13 solutions suggested or implemented.

14 (b) The commissioner shall remove the monitor on or before
15 the 180th day after the date of appointment.

16 SECTION 3. Section 39.112, Education Code, is amended by
17 adding Subsection (c-1) and amending Subsection (e) to read as
18 follows:

19 (c-1) Every 90 days, the board of managers shall file a
20 report with the governor, the speaker of the house of
21 representatives, the lieutenant governor, and each state
22 representative and senator who represents any part of the area in
23 which the district is located. The report must indicate the current
24 status of the district, including any progress made since the
25 appointment or last report, as applicable, problems identified, and
26 solutions suggested or implemented.

27 (e) At the direction of the commissioner but not later than

1 the 180th day after [~~second anniversary of~~] the date the board of
2 managers of a district was appointed, the board of managers shall
3 order an election of members of the district board of trustees. The
4 election must be held on a uniform election date on which an
5 election of district trustees may be held under Section 41.001,
6 Election Code, that is at least 180 days after the date the election
7 was ordered. On qualification of members for office, the board of
8 trustees assumes all of the powers and duties assigned to a board of
9 trustees by law, rule, or regulation.

10 SECTION 4. Subchapter E, Chapter 39, Education Code, as
11 amended by this Act, applies only to a monitor, conservator,
12 management team, or board of managers of a school district
13 appointed on or after the effective date of this Act.

14 SECTION 5. This Act takes effect immediately if it receives
15 a vote of two-thirds of all the members elected to each house, as
16 provided by Section 39, Article III, Texas Constitution. If this
17 Act does not receive the vote necessary for immediate effect, this
18 Act takes effect September 1, 2011.