

By: Villarreal

H.B. No. 978

A BILL TO BE ENTITLED

AN ACT

relating to local control over reforming school board governance of academically unacceptable school districts of a certain size.

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

SECTION 1. Subchapter C, Chapter 11 of the Education Code, is amended by adding Section 11.0525 to read as follows:

Sec. 11.0525. LOCAL CONTROL OVER REFORMING GOVERNANCE OF ACADEMICALLY UNACCEPTABLE SCHOOL DISTRICTS OF A CERTAIN SIZE.

(a) In this section, "mayor" means the presiding officer of a municipality with the largest overlapping population.

(b) This section only applies to independent school districts that have been designated Academically Unacceptable by the Texas Education Agency under section 39 of the Education Code in any of the prior three years and that have a total population of 315,000 people or more.

(c) If at least 15 percent or 15,000 of the registered voters of the school district, whichever is less, sign and present to the board of trustees a petition requesting submission to the voters of a proposition that trustees of the district be selected in the following manner: four elected from single-member trustee districts as defined by section 11.052 of the Education Code, and three appointed by the mayor, the board shall order that the proposition be placed on the ballot at the first regular election held after the 30th day after the date the petition is submitted to

1 the board.

2 (d) Beginning with the first regular election held after an
3 election at which a majority of the registered voters voting
4 approve the proposition, trustees of the district shall be selected
5 in the manner prescribed by the approved proposition.

6 (e) If voters authorize the mayor to appoint a trustee to
7 the school board as specified by this section, a citizens advisory
8 committee comprised of eleven residents of the school district
9 shall be appointed by the mayor to conduct a call for and vetting of
10 nominations.

11 (f) The mayor shall make his or her appointment from a list
12 of recommended candidates produced by a majority of the citizens
13 advisory committee.

14 (g) A school district governed under this section shall be
15 governed and shall function in compliance with general law relating
16 to independent school districts as provided by this chapter; and
17 the board of trustees of a school district under this section may
18 exercise any power specifically granted or reasonably implied by
19 general law to the board of an independent school district.

20 (h) If a school board is reconstituted based on this
21 section, every twelve years after its restructuring the board of
22 trustees shall order that the original proposition creating the
23 reformed governance structure be placed on the ballot for
24 reauthorization by a majority of the registered voters voting. If a
25 majority of the registered voters voting fails to approve
26 reauthorization of the reformed governance structure, the
27 selection process of the board of trustees returns to its process

1 prior to allowing for mayoral appointment.

2 SECTION 2. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect on the 91st day after the last day of the
7 legislative session.