

AN ACT

relating to the Texas High Performance Schools Consortium.

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

SECTION 1. Subchapter C, Chapter 7, Education Code, is amended by adding Section 7.0561 to read as follows:

Sec. 7.0561. TEXAS HIGH PERFORMANCE SCHOOLS CONSORTIUM.

(a) In this section, "consortium" means the Texas High Performance Schools Consortium established under this section.

(b) The Texas High Performance Schools Consortium is established to inform the governor, legislature, and commissioner concerning methods for transforming public schools in this state by improving student learning through the development of innovative, next-generation learning standards and assessment and accountability systems.

(c) From among school districts and eligible open-enrollment charter schools that apply using the form and in the time and manner established by commissioner rule, the commissioner may select not more than 20 participants for the consortium. The districts selected by the commissioner must represent a range of district types, sizes, and diverse student populations, as determined by the commissioner in accordance with commissioner rule. To be eligible to participate in the consortium, an open-enrollment charter school must have been awarded an exemplary distinction designation under Subchapter G,

1 Chapter 39, during the preceding school year.

2 (d) The number of students enrolled in consortium
3 participants may not be greater than a number equal to five percent
4 of the total number of students enrolled in public schools in this
5 state according to the most recent agency data.

6 (e) The application process under Subsection (c) must
7 require school districts and open-enrollment charter schools
8 applying to participate in the consortium to submit a detailed plan
9 designed to both support improved instruction of and learning by
10 students and provide evidence of the accurate assessment of the
11 quality of learning on campuses. The plan submitted by a school
12 district may designate the entire district or one or more district
13 campuses as proposed consortium participants. The plan submitted
14 by a district or open-enrollment charter school must include:

15 (1) a clear description of each assessed curricular
16 goal included in the learning standards adopted in accordance with
17 Subsection (f)(2);

18 (2) a plan for acquiring resources to support teachers
19 in improving student learning;

20 (3) a description of any waiver of an applicable
21 prohibition, requirement, or restriction the district or charter
22 school would want to apply for; and

23 (4) any other provisions required by the commissioner.

24 (f) In consultation with interested school districts,
25 open-enrollment charter schools, and other appropriate interested
26 persons, the commissioner shall adopt rules applicable to the
27 consortium, according to the following principles for a next

1 generation of higher performing public schools:

2 (1) engagement of students in digital learning,
3 including engagement through the use of electronic textbooks and
4 instructional materials adopted under Subchapters B and B-1,
5 Chapter 31, and courses offered through the state virtual school
6 network under Subchapter 30A;

7 (2) emphasis on learning standards that focus on
8 high-priority standards identified in coordination with districts
9 and charter schools participating in the consortium;

10 (3) use of multiple assessments of learning capable of
11 being used to inform students, parents, districts, and charter
12 schools on an ongoing basis concerning the extent to which learning
13 is occurring and the actions consortium participants are taking to
14 improve learning; and

15 (4) reliance on local control that enables communities
16 and parents to be involved in the important decisions regarding the
17 education of their children.

18 (g) The commissioner shall convene consortium leaders
19 periodically to discuss methods to transform learning
20 opportunities for all students, build cross-district and
21 cross-school support systems and training, and share best practices
22 tools and processes.

23 (h) The commissioner or a school district or
24 open-enrollment charter school participating in the consortium
25 may, for purposes of this section, accept gifts, grants, or
26 donations from any source, including a private entity or
27 governmental entity.

1 (i) To cover the costs of administering the consortium, the
2 commissioner may charge a fee to a school district or
3 open-enrollment charter school participating in the consortium.

4 (j) With the assistance of the school districts and
5 open-enrollment charter schools participating in the consortium,
6 the commissioner shall submit reports concerning the performance
7 and progress of the consortium to the governor and the legislature
8 not later than December 1, 2012, and not later than December 1,
9 2014. The report submitted not later than December 1, 2012, must
10 include any recommendation by the commissioner concerning
11 legislative authorization for the commissioner to waive a
12 prohibition, requirement, or restriction that applies to a
13 consortium participant. That report must also include a plan for an
14 effective and efficient accountability system for consortium
15 participants that balances academic excellence and local values to
16 inspire learning and, at the state level, contingent on any
17 necessary waiver of federal law, may incorporate use of a
18 stratified random sampling of students or other objective
19 methodology to hold consortium participants accountable while
20 attempting to reduce the number of state assessment instruments
21 that are required to be administered to students. The commissioner
22 shall seek a federal waiver, to any extent necessary, to prepare for
23 implementation of the plan if enacted by the legislature. This
24 subsection expires January 1, 2018.

25 SECTION 2. (a) Not later than January 1, 2012, the
26 commissioner of education shall adopt rules as required under
27 Section 7.0561, Education Code, as added by this Act.

1 (b) Not later than March 1, 2012, the commissioner of
2 education shall make available to school districts and
3 open-enrollment charter schools the application forms required
4 under Section 7.0561, Education Code, as added by this Act. The
5 commissioner of education shall require school districts and
6 open-enrollment charter schools that intend to apply to participate
7 in the Texas High Performance Schools Consortium to submit
8 applications not later than June 1, 2012.

9 (c) Not later than July 1, 2012, the commissioner of
10 education shall formally select participants for the Texas High
11 Performance Schools Consortium established under Section 7.0561,
12 Education Code, as added by this Act. The consortium must begin
13 operating not later than the beginning of the 2012-2013 school
14 year.

15 SECTION 3. This Act takes effect immediately if it receives
16 a vote of two-thirds of all the members elected to each house, as
17 provided by Section 39, Article III, Texas Constitution. If this
18 Act does not receive the vote necessary for immediate effect, this
19 Act takes effect September 1, 2011.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1557 passed the Senate on May 3, 2011, by the following vote: Yeas 29, Nays 2.

Secretary of the Senate

I hereby certify that S.B. No. 1557 passed the House on May 23, 2011, by the following vote: Yeas 142, Nays 0, one present not voting.

Chief Clerk of the House

Approved:

Date

Governor