

1-1 By: Carona S.B. No. 1557  
1-2 (In the Senate - Filed March 10, 2011; March 23, 2011, read  
1-3 first time and referred to Committee on Education; April 28, 2011,  
1-4 reported adversely, with favorable Committee Substitute by the  
1-5 following vote: Yeas 7, Nays 0, 1 present not voting;  
1-6 April 28, 2011, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1557 By: Seliger

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to the Texas High Performance Schools Consortium.  
1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
1-12 SECTION 1. Subchapter C, Chapter 7, Education Code, is  
1-13 amended by adding Section 7.0561 to read as follows:  
1-14 Sec. 7.0561. TEXAS HIGH PERFORMANCE SCHOOLS CONSORTIUM.  
1-15 (a) In this section, "consortium" means the Texas High Performance  
1-16 Schools Consortium established under this section.  
1-17 (b) The Texas High Performance Schools Consortium is  
1-18 established to inform the governor, legislature, and commissioner  
1-19 concerning methods for transforming public schools in this state by  
1-20 improving student learning through the development of innovative,  
1-21 next-generation learning standards and assessment and  
1-22 accountability systems.  
1-23 (c) From among school districts and eligible  
1-24 open-enrollment charter schools that apply using the form and in  
1-25 the time and manner established by commissioner rule, the  
1-26 commissioner may select not more than 20 participants for the  
1-27 consortium. The districts selected by the commissioner must  
1-28 represent a range of district types, sizes, and diverse student  
1-29 populations, as determined by the commissioner in accordance with  
1-30 commissioner rule. To be eligible to participate in the  
1-31 consortium, an open-enrollment charter school must have been  
1-32 awarded an exemplary distinction designation under Subchapter G,  
1-33 Chapter 39, during the preceding school year.  
1-34 (d) The number of students enrolled in consortium  
1-35 participants may not be greater than a number equal to five percent  
1-36 of the total number of students enrolled in public schools in this  
1-37 state according to the most recent agency data.  
1-38 (e) The application process under Subsection (c) must  
1-39 require school districts and open-enrollment charter schools  
1-40 applying to participate in the consortium to submit a detailed plan  
1-41 designed to both support improved instruction of and learning by  
1-42 students and provide evidence of the accurate assessment of the  
1-43 quality of learning on campuses. The plan submitted by a school  
1-44 district may designate the entire district or one or more district  
1-45 campuses as proposed consortium participants. The plan submitted  
1-46 by a district or open-enrollment charter school must include:  
1-47 (1) a clear description of each assessed curricular  
1-48 goal included in the learning standards adopted in accordance with  
1-49 Subsection (f)(2);  
1-50 (2) a plan for acquiring resources to support teachers  
1-51 in improving student learning;  
1-52 (3) a description of any waiver of an applicable  
1-53 prohibition, requirement, or restriction the district or charter  
1-54 school would want to apply for; and  
1-55 (4) any other provisions required by the commissioner.  
1-56 (f) In consultation with interested school districts,  
1-57 open-enrollment charter schools, and other appropriate interested  
1-58 persons, the commissioner shall adopt rules applicable to the  
1-59 consortium, according to the following principles for a next  
1-60 generation of higher performing public schools:  
1-61 (1) engagement of students in digital learning,  
1-62 including engagement through the use of electronic textbooks and  
1-63 instructional materials adopted under Subchapters B and B-1,  
1-64 Chapter 31, and courses offered through the state virtual school  
1-65 network under Subchapter 30A;

2-1 (2) emphasis on learning standards that focus on  
2-2 high-priority standards identified in coordination with districts  
2-3 and charter schools participating in the consortium;

2-4 (3) use of multiple assessments of learning capable of  
2-5 being used to inform students, parents, districts, and charter  
2-6 schools on an ongoing basis concerning the extent to which learning  
2-7 is occurring and the actions consortium participants are taking to  
2-8 improve learning; and

2-9 (4) reliance on local control that enables communities  
2-10 and parents to be involved in the important decisions regarding the  
2-11 education of their children.

2-12 (g) The commissioner shall convene consortium leaders  
2-13 periodically to discuss methods to transform learning  
2-14 opportunities for all students, build cross-district and  
2-15 cross-school support systems and training, and share best practices  
2-16 tools and processes.

2-17 (h) The commissioner or a school district or  
2-18 open-enrollment charter school participating in the consortium  
2-19 may, for purposes of this section, accept gifts, grants, or  
2-20 donations from any source, including a private entity or  
2-21 governmental entity.

2-22 (i) To cover the costs of administering the consortium, the  
2-23 commissioner may charge a fee to a school district or  
2-24 open-enrollment charter school participating in the consortium.

2-25 (j) With the assistance of the school districts and  
2-26 open-enrollment charter schools participating in the consortium,  
2-27 the commissioner shall submit reports concerning the performance  
2-28 and progress of the consortium to the governor and the legislature  
2-29 not later than December 1, 2012, and not later than December 1,  
2-30 2014. The report submitted not later than December 1, 2012, must  
2-31 include any recommendation by the commissioner concerning  
2-32 legislative authorization for the commissioner to waive a  
2-33 prohibition, requirement, or restriction that applies to a  
2-34 consortium participant. That report must also include a plan for an  
2-35 effective and efficient accountability system for consortium  
2-36 participants that balances academic excellence and local values to  
2-37 inspire learning and, at the state level, contingent on any  
2-38 necessary waiver of federal law, may incorporate use of a  
2-39 stratified random sampling of students or other objective  
2-40 methodology to hold consortium participants accountable while  
2-41 attempting to reduce the number of state assessment instruments  
2-42 that are required to be administered to students. The commissioner  
2-43 shall seek a federal waiver, to any extent necessary, to prepare for  
2-44 implementation of the plan if enacted by the legislature. This  
2-45 subsection expires January 1, 2018.

2-46 SECTION 2. (a) Not later than January 1, 2012, the  
2-47 commissioner of education shall adopt rules as required under  
2-48 Section 7.0561, Education Code, as added by this Act.

2-49 (b) Not later than March 1, 2012, the commissioner of  
2-50 education shall make available to school districts and  
2-51 open-enrollment charter schools the application forms required  
2-52 under Section 7.0561, Education Code, as added by this Act. The  
2-53 commissioner of education shall require school districts and  
2-54 open-enrollment charter schools that intend to apply to participate  
2-55 in the Texas High Performance Schools Consortium to submit  
2-56 applications not later than June 1, 2012.

2-57 (c) Not later than July 1, 2012, the commissioner of  
2-58 education shall formally select participants for the Texas High  
2-59 Performance Schools Consortium established under Section 7.0561,  
2-60 Education Code, as added by this Act. The consortium must begin  
2-61 operating not later than the beginning of the 2012-2013 school  
2-62 year.

2-63 SECTION 3. This Act takes effect immediately if it receives  
2-64 a vote of two-thirds of all the members elected to each house, as  
2-65 provided by Section 39, Article III, Texas Constitution. If this  
2-66 Act does not receive the vote necessary for immediate effect, this  
2-67 Act takes effect September 1, 2011.

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