

By: González

H.B. No. 2539

A BILL TO BE ENTITLED

AN ACT

relating to training requirements for a member of the board of trustees of an independent school district.

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

SECTION 1. Section 11.159, Education Code, is amended by amending Subsection (b) and adding Subsections (c) and (d) to read as follows:

(b) A trustee must complete the ~~[any]~~ training required by the State Board of Education. The required training must prepare the trustees to:

(1) adopt a vision statement and comprehensive goals for the district and monitor progress toward those goals;

(2) establish rigorous academic performance goals for the district and monitor progress toward those goals;

(3) establish fiscal performance goals for the district and monitor progress toward those goals;

(4) review and evaluate data regarding the performance of the district; and

(5) understand the role of a trustee and the superintendent in the operation of the school district, including the role of the trustee regarding personnel decisions for the school district.

(c) The trustee must complete the hours of training required by the State Board of Education for each year of service. The

1 period for completing required training for the first year of  
2 service begins on the date the trustee took office. Each subsequent  
3 period for completing required training begins on the anniversary  
4 of the date the trustee took office. The minutes of the last  
5 regular meeting of the board of trustees held during a calendar year  
6 must reflect whether each trustee has met or is delinquent in  
7 meeting the training required to be completed as of the date of the  
8 meeting. A trustee who is delinquent in meeting the required  
9 training may not vote, deliberate, or be counted as a trustee in  
10 attendance at a meeting of the board until the trustee completes the  
11 required training.

12 (d) If, on the 30th day before the first date a person may  
13 file an application to be a candidate for a place on the board, a  
14 trustee serving a term for the position for which an election is to  
15 be held is not current on completing the training required by this  
16 section, the board shall publish notice of the trustee's failure to  
17 complete the required training in a newspaper of general  
18 circulation in the district and on the Internet website of the  
19 district.

20 SECTION 2. Section 39.052(b), Education Code, is amended to  
21 read as follows:

22 (b) In determining the accreditation status of a school  
23 district, the commissioner:

24 (1) shall evaluate and consider:

25 (A) performance on student achievement  
26 indicators described by Section 39.053(c); and

27 (B) performance under the financial

1 accountability rating system developed under Subchapter D; and

2 (2) may evaluate and consider:

3 (A) the district's compliance with statutory  
4 requirements and requirements imposed by rule of the commissioner  
5 or State Board of Education under specific statutory authority that  
6 relate to:

7 (i) reporting data through the Public  
8 Education Information Management System (PEIMS) or other reports  
9 required by state or federal law or court order;

10 (ii) the high school graduation  
11 requirements under Section 28.025; or

12 (iii) an item listed under Sections  
13 7.056(e)(3)(C)-(I) that applies to the district;

14 (B) the effectiveness of the district's programs  
15 for special populations; ~~and~~

16 (C) the effectiveness of the district's career  
17 and technology program; and

18 (D) the compliance of the board of trustees of  
19 the school district in completing the training required under  
20 Section 11.159.

21 SECTION 3. Section 39.057(e), Education Code, is amended to  
22 read as follows:

23 (e) Regardless of whether the commissioner lowers the  
24 school district's accreditation status or a district's or campus's  
25 performance rating under Subsection (d), the commissioner may take  
26 action under Sections 39.102(a)(2) [~~39.102(a)(1)~~] through (9)  
27 [~~(8)~~] or Section 39.103 if the commissioner determines that the

1 action is necessary to improve any area of a district's or campus's  
2 performance, including the district's financial accounting  
3 practices.

4 SECTION 4. Section 39.102(a), Education Code, is amended to  
5 read as follows:

6 (a) If a school district does not satisfy the accreditation  
7 criteria under Section 39.052, the academic performance standards  
8 under Section 39.053 or 39.054, or any financial accountability  
9 standard as determined by commissioner rule, the commissioner shall  
10 take any of the following actions to the extent the commissioner  
11 determines necessary:

12 (1) require the board of trustees to participate in  
13 training as determined to be appropriate by the commissioner;

14 (2) issue public notice of the deficiency to the board  
15 of trustees;

16 (3) [~~2~~] order a hearing conducted by the board of  
17 trustees of the district for the purpose of notifying the public of  
18 the insufficient performance, the improvements in performance  
19 expected by the agency, and the interventions and sanctions that  
20 may be imposed under this section if the performance does not  
21 improve;

22 (4) [~~3~~] order the preparation of a student  
23 achievement improvement plan that addresses each student  
24 achievement indicator under Section 39.053(c) for which the  
25 district's performance is insufficient, the submission of the plan  
26 to the commissioner for approval, and implementation of the plan;

27 (5) [~~4~~] order a hearing to be held before the

1 commissioner or the commissioner's designee at which the president  
2 of the board of trustees of the district and the superintendent  
3 shall appear and explain the district's low performance, lack of  
4 improvement, and plans for improvement;

5           (6) [~~(5)~~] arrange an on-site investigation of the  
6 district;

7           (7) [~~(6)~~] appoint an agency monitor to participate in  
8 and report to the agency on the activities of the board of trustees  
9 or the superintendent;

10           (8) [~~(7)~~] appoint a conservator to oversee the  
11 operations of the district;

12           (9) [~~(8)~~] appoint a management team to direct the  
13 operations of the district in areas of insufficient performance or  
14 require the district to obtain certain services under a contract  
15 with another person;

16           (10) [~~(9)~~] if a district has a current accreditation  
17 status of accredited-warned or accredited-probation, fails to  
18 satisfy any standard under Section 39.054(e), or fails to satisfy  
19 financial accountability standards as determined by commissioner  
20 rule, appoint a board of managers to exercise the powers and duties  
21 of the board of trustees;

22           (11) [~~(10)~~] if for two consecutive school years,  
23 including the current school year, a district has received an  
24 accreditation status of accredited-warned or accredited-probation,  
25 has failed to satisfy any standard under Section 39.054(e), or has  
26 failed to satisfy financial accountability standards as determined  
27 by commissioner rule, revoke the district's accreditation and:

1 (A) order closure of the district and annex the  
2 district to one or more adjoining districts under Section 13.054;  
3 or

4 (B) in the case of a home-rule school district or  
5 open-enrollment charter school, order closure of all programs  
6 operated under the district's or school's charter; or

7 (12) [~~(11)~~] if a district has failed to satisfy any  
8 standard under Section 39.054(e) due to the district's dropout  
9 rates, impose sanctions designed to improve high school completion  
10 rates, including:

11 (A) ordering the development of a dropout  
12 prevention plan for approval by the commissioner;

13 (B) restructuring the district or appropriate  
14 school campuses to improve identification of and service to  
15 students who are at risk of dropping out of school, as defined by  
16 Section 29.081;

17 (C) ordering lower student-to-counselor ratios  
18 on school campuses with high dropout rates; and

19 (D) ordering the use of any other intervention  
20 strategy effective in reducing dropout rates, including mentor  
21 programs and flexible class scheduling.

22 SECTION 5. Section 39.111(c), Education Code, is amended to  
23 read as follows:

24 (c) A conservator or management team, if directed by the  
25 commissioner, shall prepare a plan for the implementation of action  
26 under Section 39.102(a)(10) [~~39.102(a)(9)~~] or (11) [~~(10)~~]. The  
27 conservator or management team:

1           (1) may direct an action to be taken by the principal  
2 of a campus, the superintendent of the district, or the board of  
3 trustees of the district;

4           (2) may approve or disapprove any action of the  
5 principal of a campus, the superintendent of the district, or the  
6 board of trustees of the district;

7           (3) may not take any action concerning a district  
8 election, including ordering or canceling an election or altering  
9 the date of or the polling places for an election;

10          (4) may not change the number of or method of selecting  
11 the board of trustees;

12          (5) may not set a tax rate for the district; and

13          (6) may not adopt a budget for the district that  
14 provides for spending a different amount, exclusive of required  
15 debt service, from that previously adopted by the board of  
16 trustees.

17          SECTION 6. This Act takes effect September 1, 2015.