

By: King of Parker

H.B. No. 2955

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a waiver for a school district from state requirements
3 that hinder the district's ability to effectively compete with
4 charter or private schools.

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

6 SECTION 1. Subchapter C, Chapter 7, Education Code, is
7 amended by adding Section 7.0562 to read as follows:

8 Sec. 7.0562. WAIVERS TO ENHANCE COMPETITIVENESS. (a) A
9 school district whose estimated enrollment for a school year has
10 decreased by at least three percent from the enrollment for the
11 preceding school year may apply to the commissioner for a waiver of
12 any state requirements that hinder the district's ability to
13 effectively compete with charter or private schools.

14 (b) Consideration of applying for a waiver under this
15 section may be initiated by:

16 (1) a resolution adopted by the board of trustees of
17 the school district; or

18 (2) a petition signed by a majority of the members of
19 the district-level planning and decision-making committee
20 established under Section 11.251.

21 (c) Promptly after adopting a resolution or receiving a
22 petition under Subsection (b), as applicable, the board of trustees
23 of the school district shall hold a public hearing to consider
24 whether the district should apply for a waiver under this section.

1 At the conclusion of the public hearing or as soon as practicable
2 after conclusion of the public hearing, the board of trustees may:

- 3 (1) decline to pursue the waiver; or
4 (2) appoint a committee to prepare and submit an
5 application for the waiver, including the plan required under
6 Subsection (d).

7 (d) An application for a waiver under this section must
8 include a plan to enhance the school district's competitiveness.

9 The plan must:

- 10 (1) provide for a comprehensive educational program
11 for the district, which may include innovative curriculum or other
12 methods designed to improve student enrollment in the district; and
13 (2) identify each state requirement that inhibits the
14 goals of the plan and from which the district should be exempted on
15 adoption of the plan.

16 (e) The commissioner may deny an application for a waiver
17 under this section only for good cause. If the commissioner does
18 not deny an application by the 30th day after the date on which the
19 application is received, the application is considered granted.

20 (f) A waiver under this section is effective for a period of
21 five years. At the conclusion of that period, the commissioner
22 shall review the waiver to determine whether the waiver has
23 improved the school district's competitiveness and, if so, may
24 renew the waiver for a period of five years.

25 (g) The commissioner may adopt rules as necessary to
26 implement this section, including rules establishing grounds for
27 denying an application for a waiver under this section.

1 SECTION 2. This Act applies beginning with the 2018-2019
2 school year.

3 SECTION 3. This Act takes effect immediately if it receives
4 a vote of two-thirds of all the members elected to each house, as
5 provided by Section 39, Article III, Texas Constitution. If this
6 Act does not receive the vote necessary for immediate effect, this
7 Act takes effect September 1, 2017.