

By: Fallon

S.B. No. 2285

A BILL TO BE ENTITLED

AN ACT

relating to challenges by school districts and open-enrollment charter schools to accountability determinations.

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

SECTION 1. Section 39.151, Education Code, is amended by amending Subsection (b) and adding Subsections (c-1), (c-2), and (c-3) to read as follows:

(b) The rules under Subsection (a) must provide for the commissioner to appoint a committee to make recommendations to the commissioner on a challenge made to an agency decision relating to an academic performance rating or determination or financial accountability rating. The committee shall review the challenge regardless of the issue identified in the challenge by the school district or open-enrollment charter school. The commissioner may not appoint an agency employee as a member of the committee.

(c-1) The commissioner may not limit a challenge relating to a data or calculation error if the school district or open-enrollment charter school demonstrates in writing that the error was identified before July 1 of the year ratings are released, even if the challenge demonstrates the data or calculation error:

(1) is attributable to the school district or open-enrollment charter school; or

(2) caused the district or school to have a lower academic or financial accountability rating.

1 (c-2) If a challenge described by Subsection (c-1)
2 demonstrates that a data or calculation error caused the district
3 or open-enrollment charter school to have a lower academic or
4 financial accountability rating, the commissioner shall:

5 (1) assign the district or school the corrected
6 rating; or

7 (2) indicate that the district or school will not be
8 rated for that school year.

9 (c-3) For a year in which a school district or
10 open-enrollment charter school is not rated under Subsection
11 (c-2)(2), that school year is not:

12 (1) included in calculating consecutive school years
13 under Sections 12.1141(d) and 12.115(c) and Subchapter C, Chapter
14 39, and Chapter 39A; or

15 (2) considered a break in consecutive school years of
16 unacceptable ratings for purposes of sanctions or interventions
17 under Sections 12.1141(d) and 12.115(c) and Subchapter C, Chapter
18 39, and Chapter 39A.

19 SECTION 2. This Act applies beginning with the 2019-2020
20 school year.

21 SECTION 3. This Act takes effect immediately if it receives
22 a vote of two-thirds of all the members elected to each house, as
23 provided by Section 39, Article III, Texas Constitution. If this
24 Act does not receive the vote necessary for immediate effect, this
25 Act takes effect September 1, 2019.