

By: Lucio

S.B. No. 1318

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the authority of the commissioner of education to
3 conduct special accreditation investigations.

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

5 SECTION 1. Section 39.057(a), Education Code, is amended to
6 read as follows:

7 (a) The commissioner may authorize special accreditation
8 investigations to be conducted:

9 (1) when excessive numbers of absences of students
10 eligible to be tested on state assessment instruments are
11 determined;

12 (2) when excessive numbers of allowable exemptions
13 from the required state assessment instruments are determined;

14 (3) in response to complaints submitted to the agency
15 with respect to alleged violations of civil rights or other
16 requirements imposed on the state by federal law or court order;

17 (4) in response to established compliance reviews of
18 the district's financial accounting practices and state and federal
19 program requirements;

20 (5) when extraordinary numbers of student placements
21 in disciplinary alternative education programs, other than
22 placements under Sections 37.006 and 37.007, are determined;

23 (6) in response to an allegation involving a conflict
24 between members of the board of trustees or between the board and

1 the district administration if it appears that the conflict
2 involves a violation of a role or duty of the board members or the
3 administration clearly defined by this code;

4 (7) when excessive numbers of students in special
5 education programs under Subchapter A, Chapter 29, are assessed
6 through assessment instruments developed or adopted under Section
7 39.023(b);

8 (8) in response to an allegation regarding or an
9 analysis using a statistical method result indicating a possible
10 violation of an assessment instrument security procedure
11 established under Section 39.0301, including for the purpose of
12 investigating or auditing a school district under that section;

13 (9) when a significant pattern of decreased academic
14 performance has developed as a result of the promotion in the
15 preceding two school years of students who did not perform
16 satisfactorily as determined by the commissioner under Section
17 39.0241(a) on assessment instruments administered under Section
18 39.023(a), (c), or (l);

19 (10) when excessive numbers of students eligible to
20 enroll fail to complete an Algebra II course or any other advanced
21 course as determined by the commissioner;

22 (11) when resource allocation practices as evaluated
23 under Section 39.0821 indicate a potential for significant
24 improvement in resource allocation;

25 (12) when a disproportionate number of students of a
26 particular demographic group is graduating with a particular
27 endorsement under Section 28.025(c-1);

1 (13) when an excessive number of students is
2 graduating with a particular endorsement under Section
3 28.025(c-1);

4 (14) in response to a complaint submitted to the
5 agency with respect to alleged inaccurate data that is reported
6 through the Public Education Information Management System (PEIMS)
7 or through other reports required by state or federal law or rule or
8 court order and that is used by the agency to make a determination
9 relating to public school accountability, including accreditation,
10 under this chapter;

11 (15) when a school district for any reason fails to
12 produce, at the request of the agency, evidence or an investigation
13 report relating to an educator who is under investigation by the
14 State Board for Educator Certification; ~~[or]~~

15 (16) when an excessive number of students is
16 transferring out of a school district or between campuses within a
17 school district:

18 (A) after completing the second grade and before
19 entering the third grade; or

20 (B) during the 60 days before the date of the
21 administration of an assessment instrument under Section 39.023; or

22 (17) as the commissioner otherwise determines
23 necessary.

24 SECTION 2. This Act takes effect immediately if it receives
25 a vote of two-thirds of all the members elected to each house, as
26 provided by Section 39, Article III, Texas Constitution. If this
27 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2021.