By: Miles S.B. No. 466

A BILL TO BE ENTITLED

AN ACT

relating to the removal of a conservator, board of managers, or other alternative management of a campus or school district in certain circumstances.

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

SECTION 1. Section 39A.003, Education Code, is amended by amending Subsection (b) and adding Subsection (b-1) to read as follows:

(b) Subject to Subsection (b-1), at [~~At~~] least every 90 days, the commissioner shall review the need for the conservator or management team and shall remove the conservator or management team unless the commissioner determines that continued appointment is necessary for effective governance of the school district or delivery of instructional services.

(b-1) In accordance with Section 39A.051(c), the commissioner shall remove the conservator or management team if each campus that was the basis for the appointment receives an acceptable performance rating.

SECTION 2. Section 39A.051, Education Code, is amended by adding Subsection (c) to read as follows:

(c) Notwithstanding any other provision of this chapter, if the commissioner, based on the performance of a campus, takes action under Subsection (a)(1) by appointing a conservator or board of managers or ordering alternative management of the campus or

school district, the board of trustees of the school district shall resume management of the campus or district, as applicable, if each campus that was the basis for the action receives an acceptable performance rating.

SECTION 3. Section 39A.153(b), Education Code, is amended to read as follows:

(b) The management contract must include:

(1) a provision describing the school district's responsibilities in supporting the operation of the campus; [~~and~~]

(2) provisions approved by the commissioner requiring the managing entity to demonstrate improvement in campus performance, including negotiated performance measures; and

(3) a provision for automatic termination of the contract in accordance with Section 39A.051(c) if the campus receives an acceptable performance rating.

SECTION 4. Section 39A.209(a), Education Code, is amended to read as follows:

(a) Notwithstanding Section 39A.208 and in accordance with Section 39A.051(c), the commissioner shall [~~may~~] remove a board of managers appointed to govern a school district under Subchapter C [~~only~~] if each [~~the~~] campus that was the basis for the appointment of the board of managers receives an acceptable performance rating [~~for two consecutive school years~~].

SECTION 5. (a) Except as provided by Subsection (b) of this section, this Act applies beginning with the 2027-2028 school year.

(b) Section 39A.153(b), Education Code, as amended by this Act, applies to a contract entered into, amended, or renewed on or

after September 1, 2027. A contract entered into before that date and not amended or renewed after that date is governed by the law in effect on the date the contract was entered into, and the former law is continued in effect for that purpose.

SECTION 6. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2027.