

## **BILL ANALYSIS**

Senate Research Center  
86R7706 MP-F

S.B. 2285  
By: Fallon  
Education  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Texas has one of the strongest public school accountability systems in the country. Public charter schools face a no-appeal closure policy if they fail three years in a row. Independent school districts face sanctions, including state takeover, if they fail five years in a row. Despite the importance of the accountability ratings, the Texas Education Agency (TEA) limited the ability to appeal a school's accountability rating to only TEA errors and testing errors. TEA does not allow any public school to appeal an accountability rating for a data or calculation error attributable to a school, even if the correction would result in a higher accountability rating. S.B. 2285 seeks to ensure that accountability ratings provided to public charter schools and school districts accurately reflect the school's true performance and not a data-entry error.

S.B. 2285 prohibits the commissioner of education from limiting certain challenges to a TEA decision relating to an academic or financial accountability rating. Additionally, S.B. 2285 requires the commissioner to raise a school district or charter school's rating to a higher rating or indicate the school is not rated, if the challenge shows a data or calculation error caused the school to have a lower rating. S.B. 2285 also prohibits the commissioner from revoking a charter or allowing a charter to expire if a school's rating is changed to not-rated as the result of certain challenges.

As proposed, S.B. 2285 amends current law relating to challenges by school districts and open-enrollment charter schools to accountability determinations.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 39.151, Education Code, by amending Subsection (b) and adding Subsection (c-1), as follows:

(b) Requires the advisory committee appointed under this chapter (Public School System Accountability) to review the challenge regardless of the issue identified in the challenge by the school district or open-enrollment charter school.

(c-1) Prohibits the commissioner of education (commissioner) from limiting a challenge relating to a data or calculation error or inaccuracy attributable to the school district or open-enrollment charter school, even if the challenge demonstrates the data or calculation error or inaccuracy caused the district or school to have a lower academic or financial accountability rating. Requires the commissioner, if a challenge demonstrates that the data or calculation error or inaccuracy caused the district or school to have a lower academic or financial accountability rating, to assign the district or school the corrected rating or to indicate that the district or school will not be rated for that school year. Prohibits the commissioner from revoking the charter of an open-enrollment charter school as provided by Section 12.115(c) (relating to requiring the commissioner to revoke the charter of an open-enrollment charter school under certain conditions) or allowing the charter to expire as provided by Section 12.1141(d) (relating to prohibiting

the commissioner from renewing a certain charter under certain conditions) if for one of the school years considered for the commissioner's decision the school is not rated as provided by this subsection.

SECTION 2. Provides that this Act applies beginning with the 2019–2020 school year.

SECTION 3. Effective date: upon passage or September 1, 2019.