

## BILL ANALYSIS

Senate Research Center  
77R5640 CAS-D

S.B. 745  
By: Shapleigh  
Education  
3/27/2001  
As Filed

### DIGEST AND PURPOSE

Currently, the commissioner of education (commissioner) is authorized to temporarily replace a school district board of trustees or annex the district into one or more adjoining districts if the district has earned an academically unacceptable rating for a period of one year or more. As proposed, S.B. 745 allows for certain sanctions against a school district if a master or management team has been assigned for a specific period of time.

### 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 39.131, Education Code, to (a) require the commissioner of education (commissioner) to take certain actions as authorized under Section 39.075, or if a school district does not satisfy the accreditation criteria. Requires the commissioner, if a district has been rated as academically unacceptable or has had a master or management team assigned for a period of one year or more, to appoint a board of managers, a majority of whom must be residents of the district, to exercise the powers and duties of the board of trustees. Requires the commissioner, if a district has been rated as academically unacceptable or has had a master or management team assigned for a period of two or more years, to annex the district to one or more adjoining districts under Section 13.054 or in the case of a home-rule school district, request the State Board of Education to revoke the district's home-rule school district charter.

(e) Authorizes the commissioner to authorize a master or management team to employ professional staff as necessary to assist the master or management team in performing the master's or management team's duties under this section. Requires that the district pay the cost of providing professional staff. Authorizes the commissioner, at any time, to appoint a management team to replace a master or vice versa.

(f) Authorizes a board of managers to exercise all of the powers and duties assigned to a board of trustees of a school district by law, rule, or regulation. Provides that this section applies to a district governed by a board of managers in the same manner that this section applies to any other district. Authorizes a master or a member of a management team appointed to serve on a board of managers to continue to be compensated as determined by the commissioner. Requires the board of managers, at the direction of the commissioner but not later than a certain date, to order an election of the members of the district board of trustees. Provides that the election must be held on a uniform election date on which an election of district trustees may be held under Section 41.001, Election Code (Uniform Election Dates), that is at least 180 days after the date the election was ordered. Provides that on qualification of members for office, the board of trustees assumes all powers and duties assigned to a board of trustees by law, rule, or regulation.

(j) Provides that an employee, volunteer, or contractor acting on behalf of the commissioner under this subchapter is immune from civil liability to the same extent as a professional employee of a school district under Section 22.051.

SECTION 2. Makes application of this Act prospective to the 2001-2002 school year.

SECTION 3. Effective date: upon passage or September 1, 2001.