

DALLAS INDEPENDENT SCHOOL DISTRICT

ACCOUNTABILITY CHARTER

RECITALS

WHEREAS, this Accountability Charter (the “Charter”) is intended to cause the Dallas Independent School District (the “District”) to be governed according to Chapter 12, Subchapter B of the Texas Education Code;

WHEREAS, the Charter is intended to maintain the existing governance structure, including the existing nine single member Trustee districts and the currently existing rolling three year terms;

WHEREAS, the Charter is intended to subject the District to all federal, state and local laws, rules and regulations to which the District is currently subject, except as expressly stated herein;

WHEREAS, the Charter is explicitly intended to cause the District to remain subject to Chapter 21 of the Texas Education Code and all teacher protections therein;

WHEREAS, the Charter is explicitly intended to cause the District to remain subject to all class size requirements, as provided in the Texas Education Code and by rule of the Texas Education Agency;

WHEREAS, notwithstanding the above recitals, the Charter is intended to change the existing structure and operations of the District only by (1) delegating to the board of trustees (the “Board”) the ability, at its own discretion, to begin the school year on any date it deems appropriate, (2) providing voters the right to recall a Trustee, and (3) providing term limits on trustees, each as provided for in the Charter; and

WHEREAS, except as otherwise specifically stated in the Charter, the adoption of the Charter is not intended to invalidate any existing policy or procedure of the District;

NOW THEREFORE, the District shall be governed, and shall operate, as provided in the following articles of the Charter.

ARTICLE I – GENERAL PROVISIONS

SECTION 1. DISTRICT NAME

The District shall continue to be called the “Dallas Independent School District.”

SECTION 2. EFFECTIVE DATE

The Charter shall first become effective, if approved by the voters in accordance with the provisions of Texas Education Code §§ 12.019 and 12.022, on January 1, 2015.

SECTION 3. VOTER TERMINATION OF CHARTER

The Charter may be terminated in accordance with the procedures set forth in Article VII, below, or by other means in accordance with Chapter 12, Subchapter B of the Texas Education Code.

SECTION 4. STATUS AS POLITICAL SUBDIVISION

Nothing contained in the Charter shall alter the status of the District as an independent school district organized and operating under Title 2 of the Texas Education Code or as a political subdivision of the State of Texas.

SECTION 5. NO CHANGE IN SCHOOL DISTRICT BOUNDARIES

In accordance with the provisions of Texas Education Code § 12.011(b) the adoption of the Charter does not affect the school district boundaries as they existed as of the date of the adoption of the Charter.

SECTION 6. NO CHANGE IN SCHOOL DISTRICT POLICIES

The adoption of the Charter does not affect the District's policies or procedures as they existed as of the date of the adoption of the Charter. After the effective date of the Charter, the Board may make such changes in policies as it deems appropriate.

SECTION 7. NO CHANGE IN SCHOOL DISTRICT CONTRACTS

The adoption of the Charter does not affect contracts that were in place prior to the adoption of the Charter.

ARTICLE II – PURPOSES AND INTERPRETATION

SECTION 1. PURPOSE

The primary purpose of the Charter is to create a governing and operating structure within the District that will focus on student achievement.

SECTION 2. INTERPRETATION

To the extent there is a dispute as to the meaning of any provision in the Charter, such provisions shall be interpreted to give effect to the purposes stated in the Recitals above. All references to federal, state and local laws include any amendments made thereto subsequent to the effective date of the Charter.

ARTICLE III – EDUCATIONAL PROGRAMS

The District shall utilize only educational programming that is compliant with the Texas Education Code and any rules and regulations promulgated by the Texas Education Agency.

ARTICLE IV – GOVERNING STRUCTURE AND APPLICABILITY OF LAWS

SECTION 1. GOVERNANCE BY BOARD OF TRUSTEES

The governance of the District shall be vested in a board of trustees constituted in accordance with Chapter 11, Subchapter C of the Texas Education Code, the Charter and other applicable law. Day-to-day operations of the District shall, however, be managed by the Superintendent, as provided in the Texas Education Code.

SECTION 2. APPLICABILITY OF FEDERAL LAWS GOVERNING SCHOOL DISTRICTS

The District is subject to federal laws and rules governing school districts. The District is also subject to all requirements of federal law and applicable court orders, including, but not limited to, those relating to eligibility for and the provision of special education and bilingual programs.

SECTION 3. APPLICABILITY OF STATE LAWS GOVERNING SCHOOL DISTRICTS

Except as otherwise provided in the Charter, the District is subject to all provisions of the Texas Education Code, as if it were an independent school district not operating under a charter pursuant to Chapter 12, Subchapter B of the Texas Education Code, including, but not limited to, all requirements of a Texas school district that qualifies for membership in the Teacher Retirement System of Texas. Each District employee shall be covered under the system in the same manner and to the same extent as a qualified employee employed by a Texas independent school district is covered.

SECTION 4. GOVERNANCE OF THE DISTRICT

The Board shall exercise such powers, duties, and prerogatives of a Board as are set forth in Chapter 11, Subchapter D of the Texas Education Code, including, but not limited to:

- a. the articulation of clear performance standards for all students, campuses, and personnel within the District;
- b. the measurement of student performance across an appropriate array of national, statewide and local benchmarks, which measurements shall be published at least annually and made available on the District's website;
- c. the hiring, management, evaluation and termination of the Superintendent of the District;
- d. the adoption of an annual budget in conformance with the legal requirements of Chapter 44 of the Texas Education Code, on or before June 30 of every year, which implements the equitable distribution of resources within the District and ensures the proper use of program-weight funds in accordance with the purposes for which they are distributed and all requirements and restrictions under law;
- e. ensuring that the Superintendent implements and monitors plans, procedures, programs, and systems to achieve appropriate, clearly defined, and desired results in the major areas of District operations;
- f. the maintenance within the District of adequate financial controls in order to ensure the maximum effectiveness of the expenditure of public funds;
- g. ensuring that the District does not discriminate on the basis of race, socioeconomic status, or family support status, or place a student in a program other than the highest-level program available that will ensure the student's success;
- h. ensuring that the District's fiscal accounts are audited annually as required under § 44.008 of the Texas Education Code; and
- h. ensuring that the District is continuously in compliance with all required reporting requirements of the Public Education Information Management System (PEIMS), imposed by the provisions of Texas Education Code § 42.006, and any rules adopted thereunder, including, but not limited to 19 Texas Administrative Code § 61.1025, as such law rules and law exist or are subsequently amended.

SECTION 5. GOVERNANCE OF CAMPUSES

Campuses shall be governed as directed by the Superintendent under policies approved by the Board, subject to applicable law.

SECTION 6. SCHOOL YEAR

Notwithstanding any other provision in the Charter or in any provision of the Texas Education Code, the Board may cause the school year to begin on the date of its choosing.

SECTION 7. HEALTH AND SAFETY OF STUDENTS AND EMPLOYEES

The District shall be subject to all provisions of Chapter 38 of the Texas Education Code relating to the health and safety of students and employees, as well as any health and safety policies promulgated by the Texas Education Agency. The Board shall also implement internal policies to protect the health and safety of students and employees, as it determines are necessary or desirable.

ARTICLE V – BOARD

SECTION 1. STRUCTURE AND OBLIGATIONS OF THE BOARD

The District shall have nine voting trustees, each of which shall be resident within the boundaries of the District. Except as specifically provided in the Charter, the Board shall govern itself in accordance with all provisions of the Texas Education Code and other law applicable to a board of an independent school district. Further, except as otherwise provided specifically in the Charter, the Board shall govern the District in accordance with all provisions of the Texas Education Code and other law applicable to an independent school district.

SECTION 2. SINGLE MEMBER DISTRICTS

Each trustee on the Board shall be elected from a single-member district in which that trustee lives in accordance with Texas Education Code § 11.052. One trustee shall be elected from each of the nine single-member districts. The boundaries of the nine single-member districts shall be, upon the effective date of the Charter, exactly as they were immediately before the effective date of the Charter. The Board may only change the boundaries of any single-member district in accordance with state and federal law. The election cycle for each single-member district shall continue to operate as it did immediately before the Charter became effective and may be changed only in accordance with state and federal law. Vacancies shall be filled in accordance with state law.

SECTION 3. REMOVAL OF INDIVIDUAL TRUSTEES

Any trustee may be removed from office if approved by a majority of qualified voters voting in a recall election called for the purpose of removing such Trustee. Only registered voters residing within the boundaries of the single member district represented by the trustee sought to be recalled may vote in the recall election. The Board shall hold a recall election on the next uniform election date occurring at least forty-five days after the date the Board receives a petition signed by at least fifteen percent of the registered voters residing within the boundaries of the single member district represented by the trustee sought to be recalled. If a trustee is

recalled, he or she shall be immediately removed from office once the results of the election are certified by the Board (or upon the qualification of such trustee's successor, if required under the Texas Constitution). The Trustee position vacated as a result of the recall election shall be filled in accordance with the Texas Education Code and the Texas Election Code, as if the position had been vacated because of the trustee's resignation.

SECTION 5. TERM LIMITS

No person may serve as a trustee on the Board for more than three consecutive full terms.

SECTION 6. CONTINUATION OF THE BOARD

The structure of the Board shall continue to remain exactly as it was immediately prior to the effective date of the Charter and each trustee currently serving as a duly elected trustee of the District immediately prior to the effective date of the Charter shall continue in office until their respective terms expire, they resign or they are recalled.

SECTION 7. NO COMPENSATION

Trustees shall serve without compensation for their services as a member of the Board. Trustees shall be allowed reimbursement of reasonable expenses incurred in the performance of their regular duties on behalf of the District in accordance with approved District policies.

SECTION 8. OPEN MEETINGS

All meetings of the Board, or of any committee composed of members of the Board, regular or special, shall have their agendas posted, and shall be conducted in conformance with the requirements of the Texas Open Government Act, Chapter 551, Texas Government Code.

ARTICLE VI - AMENDMENT OF CHARTER

The Charter may be amended only as provided in Chapter 12, Subchapter B of the Texas Education Code.

ARTICLE VII – RESCISSION OF CHARTER

SECTION 1. MANDATORY CHARTER RESCISSION

The continuation of the Charter is contingent on acceptable student performance on assessment instruments under Chapter 39, Subchapter B of the Texas Education Code and compliance with all other applicable accountability provisions under Chapter 39 of the Texas Education Code. In the event such student performance and compliance requirements are not satisfied, the Texas State Board of Education may, in their discretion, rescind the Charter.

SECTION 2. VOLUNTARY CHARTER RESCISSION ELECTION

The Charter may be rescinded in an election, as provided in Chapter 12, Subchapter B of the Texas Education Code.