

§ 39.053. PERFORMANCE REPORT. (a) Each board of trustees shall publish an annual report describing the educational performance of the district and of each campus in the district that includes uniform student performance and descriptive information as determined under rules adopted by the commissioner. The annual report must also include:

(1) campus performance objectives established under Section 11.253 and the progress of each campus toward those objectives, which shall be available to the public;

(2) the performance rating for the district as provided under Section 39.072(a) and the performance rating of each campus in the district as provided under Section 39.072(c);

(3) the district's current special education compliance status with the agency;

(4) a statement of the number, rate, and type of violent or criminal incidents that occurred on each district campus, to the extent permitted under the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g);

(5) information concerning school violence prevention and violence intervention policies and procedures that the district is using to protect students; and

(6) the findings that result from evaluations conducted under the Safe and Drug-Free Schools and Communities Act of 1994 (20 U.S.C. Section 7101 et seq.) and its subsequent amendments; and

(7) information received under Section 51.403(e) for each high school campus in the district, presented in a form determined by the commissioner.

(b) Supplemental information to be included in the reports

shall be determined by the board of trustees. Performance information in the annual reports on the indicators established under Section 39.051 and descriptive information required by this section shall be provided by the agency.

(c) The board of trustees shall hold a hearing for public discussion of the report. The board of trustees shall give notice of the hearing to property owners in the district and parents, guardians, conservators, and other persons having lawful control of a district student. The notification must include notice to a newspaper of general circulation in the district and notice to electronic media serving the district. After the hearing the report shall be widely disseminated within the district in a manner to be determined under rules adopted by the commissioner.

(d) The report must also include a comparison provided by the agency of:

- (1) the performance of each campus to its previous performance and to state-established standards;
- (2) the performance of each district to its previous performance and to state-established standards; and
- (3) the performance of each campus or district to comparable improvement.

(e) The report may include the following information:

- (1) student information, including total enrollment, enrollment by ethnicity, socioeconomic status, and grade groupings and retention rates;
- (2) financial information, including revenues and expenditures;
- (3) staff information, including number and type of

staff by gender, ethnicity, years of experience, and highest degree held, teacher and administrator salaries, and teacher turnover;

(4) program information, including student enrollment by program, teachers by program, and instructional operating expenditures by program; and

(5) the number of students placed in a disciplinary alternative education program under Chapter 37.

(f) The State Board of Education by rule shall authorize the combination of this report with other reports and financial statements and shall restrict the number and length of reports that school districts, school district employees, and school campuses are required to prepare.

(g) The report must include a statement of the amount, if any, of the school district's unencumbered surplus fund balance as of the last day of the preceding fiscal year and the percentage of the preceding year's budget that the surplus represents.

Added by Acts 1995, 74th Leg., ch. 260, § 1, eff. May 30, 1995.

Amended by Acts 1999, 76th Leg., ch. 510, § 2, eff. Sept. 1,

1999; Acts 1999, 76th Leg., ch. 1417, § 2, eff. June 19, 1999;

Acts 2001, 77th Leg., ch. 725, § 6, eff. June 13, 2001; Acts

2001, 77th Leg., ch. 834, § 11, eff. Sept. 1, 2001; Acts 2001,

77th Leg., ch. 1420, § 4.010, eff. Sept. 1, 2001; Acts 2003,

78th Leg., ch. 1055, § 24, eff. June 20, 2003.