

015-904

**Via Certified Mail
& Regular Mail**

February 14, 2020

Gerardo Soto, Superintendent
Ricardo Moreno, Board President
Juan Mancha, Board Vice-President
Esequiel Mendoza, Board Secretary
Christine Carrillo, Board Member
Norma Cavazos, Board Member
Elaine Anaya-Ortiz, Board Member
Elizabeth F. Limon, Board member
Harlandale Independent School District
102 Genevieve Dr.
San Antonio, Texas 78214

Dear Mr. Soto and Members of the Board of Trustees:

As you are aware, in correspondence dated June 25, 2019, I notified Harlandale Independent School District (ISD or district) regarding my determination to lower the district's 2018-2019 accreditation status to **Accredited-Warned** under the authority of Texas Education Code (TEC) §§39.052(d) and 39.057(d), and 19 Texas Administrative Code (TAC) §§97.1055, 97.1057, and 97.1059. The letter additionally gave notice of my intent to appoint a board of managers and conservator to the district pursuant to the authority in TEC §§39.052(d), 39.057(d), 39A.002(7), 39A.004, 39A.201, 39A.202; 19 TAC §§97.1057, 97.1059, 97.1073.

On August 7, 2019, I conducted the requested formal and informal review in a single proceeding. I have carefully considered the information presented orally by the district during the review, as well as the written documentation submitted by the district, and I have decided to proceed with the decision to appoint a conservator to the district and lower the district's accreditation status to **Accredited-Warned**. The conservator is being appointed on the basis of the lowered accreditation status resulting from the Special Accreditation Investigation (SAI). This intervention is authorized because the district has a current accreditation status of **Accredited-Warned** and because the findings in the SAI warrant the intervention. TEC §§39A.002(a)(7), 39.057(d). My decisions regarding the lowered accreditation status and appointment of the conservator are final and not appealable. 19 Texas Administrative Code (TAC) §157.1123(f), 157.1136.

Regarding the appointment of a board of managers to the district, based upon the information presented by the district, I have decided not to proceed with the appointment at this time. During the review on August 7, 2019, the district presented a complete record of text messages in which TEA was not in possession of during the investigation, preliminary report, or final report. This information presented by the district indicated the violation of the open meetings act was not as severe as initially presented during the investigation. Additionally, the procurement process and internal controls violations of contracts are actions managed by the superintendent. Consequently,

the former superintendent was relieved of his duties and a new superintendent has been appointed by the district. Please note, however, my decision to proceed with the appointment of a conservator does not relieve the district and its governing board of the responsibility to, at all times, operate the district in compliance with all applicable statutes and rules. The agency reserves the right to implement all available interventions and sanctions under TEC, Chapters 39A, and Title 19, TAC, Chapters 97, to address the current, or any future, deficiencies identified for the district.

Agency staff will be present at the next meeting of the district's governing board to introduce Ms. Castleberry to the members of the board. The cost of the conservator's services will be paid by the district in accordance with TEC §39A.903. The conservator's fee shall be \$85 per hour plus necessary travel expenses not to exceed the state per diem rate. Failure to make timely payments to the conservator may result in appropriate amounts being deducted from the district's Foundation School Program (FSP) funds.

Public Notification: Accreditation Status

As explained in the June 25, 2019, correspondence, districts that are assigned a status of **Accredited-Warned** must take specific actions to notify the parents of students enrolled in the district and property owners in the district. Harlandale ISD must complete the notification requirement **no later than March 15, 2020**. Harlandale ISD also must send by certified mail, return receipt requested, documentation showing compliance with the notification requirement. This documentation may be addressed as follows:

Division of Accreditation
Texas Education Agency
1701 North Congress Avenue
Austin, Texas 78701
Fax: (512) 475-3665

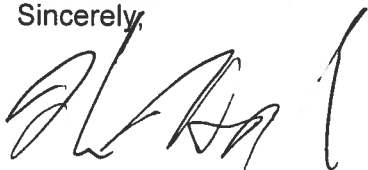
Districts with an accreditation status below Accredited may be subject to additional accreditation sanctions as referenced in 19 TAC Chapter 97, Planning and Accountability, Subchapter EE. Questions related to the public notification requirements may be addressed to accred@tea.texas.gov or (512) 463-5899.

Compliance and Cooperation

It is my sincere desire that all parties work together in a cooperative and productive manner to address the issues within the district. Any questions regarding the accreditation status may be addressed to the Division of Accreditation at (512) 463-5899 or by email at accred@tea.texas.gov.

Any questions regarding the appointment of a conservator may be addressed to Jason Hewitt, in the Division of Governance at (512) 936-5962 or by email at Jason.Hewitt@tea.texas.gov.

Sincerely,



Mike Morath
Commissioner of Education

MM/lm

cc: Jeff Goldhorn, Executive Director, Region 20, Education Service Center
Jeff Cottrill, Deputy Commissioner, Governance & Accountability, TEA
Kelvey Oeser, Deputy Commissioner, Educator Support, TEA
Mike Meyer, Deputy Commissioner, Finance, TEA
Leo Lopez, Associate Commissioner/Chief School Finance Officer, TEA
Cory Green, Associate Commissioner, Contracts, Grants & Financial Administration, TEA
Joe Siedlecki, Associate Commissioner, System Support, TEA
Jason Hewitt, Associate Commissioner, Governance, TEA
Von Byer, General Counsel, TEA
Christopher Jones, Senior Legal Counsel, TEA
Lizette Ridgeway, Director, School Improvement, TEA
Judy Castleberry, Conservator