

BILL ANALYSIS

C.S.S.B. 618
By: Shapleigh
Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, the Texas Public School Accountability System uses scores on the Texas Assessment of Academic Skills and dropout rates to rank schools as exemplary, recognized, acceptable, or low performing and until 2002 included attendance rates as a factor. In 2001-2002, nearly 70,000 students attended public schools rated as low performing. Reconstituting schools that rank as low performing for two years or more is one of the five corrective actions required by the No Child Left Behind Act and is supported by the American Association of School Administrators.

C.S.S.B. 618 requires the commissioner of education to reconstitute any campus rated as low performing for two consecutive years, removing closure of the school program as one of the possible penalties. C.S.S.B. 618 provides that a special campus intervention team would decide which educators to retain. C.S.S.B. 618 also requires the Texas Education Agency to report campus performance by August 1 each year and includes as a prerequisite to receive a public education grant or authorization to change schools within the district that the student is assigned to a public school campus that has been considered at any time to be low performing. The bill also provides for a board of managers, appointed by the commissioner of education, to take over the powers of the board of trustees of the district for a period of time

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, institution, or agency.

ANALYSIS

C.S.S.B. 618 amends the Education Code, to include in the prerequisite for a student to be eligible to receive a public education grant or change schools within the student's district, that the student is assigned to a public school campus that was at any time in the preceding three years considered, rather than identified as, low-performing under Section 39.132, rather than Subchapter D, Chapter 29.

The bill includes the deadline of not later than August 1 of each year, for the Texas Education Agency to report each district campus' and open-enrollment charter school's performance.

The bill changes the heading of Section 39.131 to SANCTIONS FOR DISTRICTS and creates Sections 39.132-39.138 from existing text.

The bill requires the commissioner of education (commissioner) to reconstitute a campus that has been low-performing for two consecutive years or more. The bill requires a special intervention team to decide which educators will be retained and provides that if an educator is not retained, the educator's employment with the district may be terminated or the educator may be assigned to another position within the district.

The bill provides that the powers of the board of trustees of the district are suspended for the period of time

a commissioner-appointed board of managers governs a district. The bill requires the commissioner to appoint a district superintendent and authorizes the board of managers to amend the district budget, notwithstanding any other provision of this code.

The bill provides that the powers of the board of trustees of the district in relation to the campus are suspended for the period of time a commissioner-appointed board of managers governs a district and requires the commissioner to appoint a principal. The bill authorizes the board of managers to submit proposed amendments to the district budget that benefit the campus to the commissioner, and requires the board of trustees of the district to adopt any commissioner-approved amendments.

The bill deletes certain current provisions relating to the suspension of the board of trustees of a district.

The bill amends Section 302.006, Labor Code, to make a conforming change.

This Act applies beginning with the 2004-2005 school year except Section 39.132(b) of this Act which applies beginning with the 2005-2006 school year.

EFFECTIVE DATE

September 1, 2003.

COMPARISON OF ENGROSSED TO SUBSTITUTE

C.S.S.B. 618 modifies the engrossed version by providing that if an educator is not retained as a result of a decision of the campus intervention team, the educator's employment with the district may be terminated or the educator may be assigned to another position within the district.