

By: Dutton

H.B. No. 347

A BILL TO BE ENTITLED

AN ACT

relating to sanctions imposed on low-performing public schools.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 39.131, Education Code, is amended by amending Subsection (b) and adding Subsections (b-1) and (b-2) to read as follows:

(b) If a campus performance is below any standard under Section 39.073(b), the campus is considered a low-performing campus and the commissioner may take any of the following actions, listed in order of severity, to the extent the commissioner determines necessary:

(1) issue public notice of the deficiency to the board of trustees;

(2) order a hearing conducted by the board of trustees at the campus for the purpose of notifying the public of the unacceptable performance, the improvements in performance expected by the agency, and the sanctions that may be imposed under this section if the performance does not improve within a designated period of time and of soliciting public comment on the initial steps being taken to improve performance;

(3) order the preparation of a report regarding the parental involvement program at the campus and a plan describing strategies for improving parental involvement at the campus;

(4) order the preparation of a report regarding the

1 effectiveness of the district- and campus-level planning and  
2 decision-making committees established under Subchapter F, Chapter  
3 11, and a plan describing strategies for improving the  
4 effectiveness of those committees;

5 (5) order the preparation of a student achievement  
6 improvement plan that addresses each academic excellence indicator  
7 for which the campus's performance is unacceptable, the submission  
8 of the plan to the commissioner for approval, and implementation of  
9 the plan;

10 (6) order a hearing to be held before the commissioner  
11 or the commissioner's designee at which the president of the board  
12 of trustees, the superintendent, and the campus principal shall  
13 appear and explain the campus's low performance, lack of  
14 improvement, and plans for improvement;

15 (7) appoint a special campus intervention team to:

16 (A) conduct a comprehensive on-site evaluation  
17 of each low-performing campus to determine the cause for the  
18 campus's low performance and lack of progress;

19 (B) recommend actions, including reallocation of  
20 resources and technical assistance, changes in school procedures or  
21 operations, staff development for instructional and administrative  
22 staff, intervention for individual administrators or teachers,  
23 waivers from state statute or rule, or other actions the team  
24 considers appropriate;

25 (C) assist in the development of a campus plan  
26 for student achievement; and

27 (D) assist the commissioner in monitoring the

1 progress of the campus in implementing the campus plan for  
2 improvement of student achievement; or

3 (8) if a campus has been a low-performing campus for a  
4 period of one year or more, appoint a board of managers composed of  
5 residents of the district to exercise the powers and duties of the  
6 board of trustees of the district in relation to the campus.

7 (b-1) If [~~+~~ ~~or~~  
8 [(9) ~~if~~] a campus has been a low-performing campus for  
9 a period of two years [~~or more~~], the commissioner shall:

10 (1) order that the school program on the campus:

11 (A) employ only a teacher certified under  
12 Subchapter B, Chapter 21, to teach the subject and grade level to  
13 which the teacher is assigned; and

14 (B) employ a sufficient number of teachers to  
15 maintain a ratio of one teacher for each 10 students in average  
16 daily attendance; or

17 (2) order closure of the school program on the campus.

18 (b-2) If a campus has been a low-performing campus for a  
19 period of two years after the commissioner orders employment of  
20 teachers as provided by Subsection (b-1)(1), the commissioner shall  
21 order closure of the school program on the campus.

22 SECTION 2. Section 39.131, Education Code, as amended by  
23 this Act, applies beginning with the 2003-2004 school year.

24 SECTION 3. This Act takes effect immediately if it receives  
25 a vote of two-thirds of all the members elected to each house, as  
26 provided by Section 39, Article III, Texas Constitution. If this  
27 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2003.