

By: Menendez

H.B. No. 238

A BILL TO BE ENTITLED

AN ACT

relating to a pilot program designed to improve educational services in participating school districts.

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

SECTION 1. Chapter 29, Education Code, is amended by adding Subchapter J to read as follows:

SUBCHAPTER J. STUDENT ACHIEVEMENT GUARANTEE IN  
EDUCATION PILOT PROGRAM

Sec. 29.351. DEFINITION. In this subchapter, "program" means the student achievement guarantee in education pilot program described by this subchapter.

Sec. 29.352. PROGRAM. (a) The program consists of a contract between a school district and the agency in which the district agrees to provide educational services as provided by Section 29.356 in exchange for receiving funds under Section 29.357.

(b) The commissioner shall accept applications from eligible school districts and select four districts for participation in the program. The commissioner shall select districts in a manner that ensures statewide geographic representation.

Sec. 29.353. RULES. The commissioner shall adopt rules to administer the program.

Sec. 29.354. ELIGIBILITY. (a) A school district is

1 eligible to participate in the program if, during the school year  
2 preceding the year in which the district applies for participation,  
3 50 percent or more of the students enrolled at an elementary school  
4 campus in the district were educationally disadvantaged students.

5 (b) An elementary school campus is eligible to receive funds  
6 under Section 29.357 if, during the school year preceding the year  
7 of participation in the program, 50 percent or more of the students  
8 enrolled at the campus were educationally disadvantaged students.

9 Sec. 29.355. CONTRACT. A contract between a school  
10 district and the agency for participation in the program must  
11 include:

12 (1) a description of each elementary school campus in  
13 the district to receive funds under Section 29.357;

14 (2) the district's plan to implement the requirements  
15 of Section 29.356;

16 (3) a method for evaluating the academic achievement  
17 of students enrolled at each campus participating in the program;

18 (4) any proposed performance objectives under the  
19 program, including:

20 (A) improvement of student performance on  
21 assessment instruments administered under Section 39.023;

22 (B) professional development in the district;

23 (C) increased integration of students, parents,  
24 and district residents in district decision-making; and

25 (D) proposed methods for attaining any  
26 educational goals adopted by the district; and

27 (5) for each campus to receive funds under Section

1 29.357, the district's proposed method of monitoring compliance  
2 with the terms of the contract.

3 Sec. 29.356. PROGRAM REQUIREMENTS. (a) A school district  
4 that participates in the program must implement the following  
5 measures at each campus in the district that receives funds under  
6 Section 29.357:

7 (1) in the first year, assign one additional  
8 appropriately certified teacher to each kindergarten through third  
9 grade class and maintain those assignments during each year that  
10 the district participates in the program;

11 (2) open the campus for extended hours of operation as  
12 necessary to meet the requirements of this section and as specified  
13 in the contract;

14 (3) collaborate with community organizations to  
15 increase the availability of educational and recreational  
16 opportunities for all district residents;

17 (4) in cooperation with the agency, campus personnel,  
18 and district residents, review the campus academic curriculum and  
19 adopt a more rigorous curriculum designed to improve student  
20 academic achievement;

21 (5) develop a program for new employees of the campus  
22 designed to improve each employee's transition into the campus;

23 (6) increase the time provided by the campus for  
24 employee collaboration and planning;

25 (7) require that each teacher and administrator submit  
26 to the district a professional development plan that includes  
27 methods for:

1           (A) improving student academic achievement; and  
2           (B) evaluating the success of the plan;  
3           (8) evaluate each teacher and administrator,  
4 including:

5           (A) evaluation of the effectiveness of each  
6 professional development plan submitted under Subdivision (7); and  
7           (B) identification of areas of strength and  
8 weakness;

9           (9) provide a support system designed to improve the  
10 performance of teachers and administrators, including:

11           (A) specific documentation of the performance of  
12 teachers and administrators; and

13           (B) a method of receiving suggested revisions to  
14 the evaluation process, including comments and contributions from  
15 teachers and administrators; and

16           (10) dismiss any teacher or administrator whose  
17 performance fails to improve, as documented under Subdivision  
18 (9)(A) and as determined by the district.

19           (b) The requirements of Subsection (a) are in addition to  
20 any other requirements of this code.

21           Sec. 29.357. FUNDS. (a) From funds appropriated for the  
22 purpose, the commissioner shall pay to each school district that  
23 has contracted with the agency under Section 29.355 an amount equal  
24 to \$2,000 for each educationally disadvantaged student who is  
25 enrolled:

26           (1) in a grade level designated in the contract; and

27           (2) at a campus designated in the contract.

1       (b) The commissioner shall cease payment of funds to a  
2 school district if the district withdraws from the contract before  
3 the contract expires.

4       (c) Funds a district receives under this section are in  
5 addition to funds received under Chapter 42. Section 42.258  
6 applies to funds received under this section. The commissioner  
7 shall distribute funds under this section in the manner provided by  
8 Section 42.259.

9       (d) If funds appropriated for a school year for purposes of  
10 this section are less than the amount to which school districts are  
11 entitled under this section for that school year, the commissioner  
12 shall reduce the amount distributed to each district  
13 proportionately.

14       Sec. 29.358. USE OF FUNDS. (a) A school district or campus  
15 participating in the program may use funds received under Section  
16 29.357 only for the purposes of Section 29.356(a)(1).

17       (b) A school district must distribute funds received under  
18 Section 29.357 to a campus designated in the contract under Section  
19 29.355.

20       Sec. 29.359. PROGRAM REVIEW COMMITTEE; ANNUAL REVIEW. (a)  
21 A program review committee is created for each school district  
22 participating in the program. Each committee consists of:

23               (1) the commissioner;

24               (2) the presiding officers of the standing committees  
25 of the senate and the house of representatives having jurisdiction  
26 over public education;

27               (3) two representatives of the agency, appointed by

1 the commissioner;

2 (4) the superintendent of the participating district;

3 and

4 (5) the principal of each campus in the district  
5 receiving funds under Section 29.357.

6 (b) Not later than June 30 of each year, each committee  
7 shall review the progress of each campus that receives funds under  
8 Section 29.357.

9 (c) In addition to the committee review under this section,  
10 the agency may provide for an annual independent evaluation of the  
11 program.

12 Sec. 29.360. TERMINATION OF CONTRACT. The agency may  
13 terminate a contract under this subchapter at the end of a school  
14 year if the agency determines that during that school year the  
15 school district:

16 (1) violated the terms of the contract under Section  
17 29.355; or

18 (2) failed to implement the requirements of Section  
19 29.356.

20 Sec. 29.361. EXPIRATION OF PROGRAM. This subchapter  
21 expires August 31, 2015.

22 SECTION 2. Not later than January 1, 2006, the commissioner  
23 of education shall adopt rules for administration of the student  
24 achievement guarantee in education pilot program under Subchapter  
25 J, Chapter 29, Education Code, as added by this Act.

26 SECTION 3. This Act takes effect immediately if it receives  
27 a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this  
2 Act does not receive the vote necessary for immediate effect, this  
3 Act takes effect September 1, 2005.