

By: Turner

H.B. No. 2933

A BILL TO BE ENTITLED

AN ACT

relating to sanctions available for certain academically unacceptable campuses.

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

SECTION 1. Sections 39.1323(b) and (e), Education Code, are amended to read as follows:

(b) A campus intervention team assigned under Section 39.1322 to a campus shall conduct a comprehensive on-site needs assessment of the campus to determine the causal factors resulting in the campus's low performance and lack of progress. The team shall use the following guidelines and procedures in conducting the comprehensive needs assessment of the campus:

(1) an assessment of the staff to determine the percentage of certified teachers who are teaching in their field, the number of teachers with less than three years of experience, and teacher turnover rates;

(2) compliance with the appropriate class-size rules and number of class-size waivers received;

(3) an assessment of the quality, quantity, and appropriateness of instructional materials, including the availability of technology-based instructional materials;

(4) a report on the parental involvement strategies and the effectiveness of the strategies;

(5) an assessment of the extent and quality of the

mentoring program provided for new teachers on the campus;

(6) an assessment of the type and quality of the professional development provided to the staff;

(7) a demographic analysis of the student population, including student demographics, at-risk populations, and special education percentages;

(8) a report of disciplinary incidents and school safety information;

(9) financial and accounting practices;

(10) an assessment of the appropriateness of the curriculum and teaching strategies;

(11) an assessment of the physical learning environment at the campus, including the extent to which the campus facilities provide a safe and healthy environment that is conducive to instruction by the teachers and learning by the students;

(12) an assessment of the overall sufficiency of resources provided to the campus to enable the campus to satisfy performance standards under Section 39.072; and

(13) [~~(11)~~] any other research-based data or information obtained from a data collection process that would assist the campus intervention team in:

(A) recommending an action under Subsection (c);

and

(B) executing a school improvement plan under Subsection (d).

(e) A campus intervention team appointed under Section 39.1322(b):

1 (1) shall continue to work with a campus until[+
2 [~~(A)~~] the campus is rated academically acceptable
3 for a three-year [~~two-year~~] period; [~~or~~
4 [~~(B)~~ the campus is rated academically acceptable
5 for a one-year period and the commissioner determines that the
6 campus is operating and will continue to operate in a manner that
7 improves student achievement,] and

8 (2) may continually update the school improvement
9 plan, with approval from the commissioner, to meet the needs of the
10 campus.

11 SECTION 2. Sections 39.1324(e) and (f), Education Code, are
12 amended to read as follows:

13 (e) If a campus is considered an academically unacceptable
14 campus for the subsequent school year after the campus is
15 reconstituted under Subsection (a) [~~this section~~], the
16 commissioner shall review the progress of the campus and ensure
17 that the campus is provided with sufficient resources to enable the
18 campus to satisfy performance standards under Section 39.072. If
19 the campus has been receiving sufficient resources and is
20 considered an academically unacceptable campus for the subsequent
21 school year after the campus is reconstituted, the commissioner may
22 order closure of the campus or pursue alternative management under
23 Section 39.1327.

24 (f) If a campus is considered academically unacceptable for
25 two consecutive school years after the campus is reconstituted
26 under Subsection (a), the commissioner shall ensure that the campus
27 is provided with sufficient resources to enable the campus to

1 satisfy performance standards under Section 39.072. If the campus
2 has been receiving sufficient resources and is considered an
3 academically unacceptable campus for any two consecutive school
4 years after the campus is reconstituted, the commissioner shall
5 order closure of the campus or pursue alternative management under
6 Section 39.1327.

7 SECTION 3. Section 39.134, Education Code, is amended to
8 read as follows:

9 Sec. 39.134. COSTS [~~PAID BY DISTRICT~~]. (a) The costs of
10 providing a monitor, conservator, management team, campus
11 intervention team, technical assistance team, [~~managing entity~~
12 ~~under Section 39.1327,~~] or service provider under Section 39.1331
13 shall be paid by the district. If the district fails or refuses to
14 pay the costs in a timely manner, the commissioner may:

15 (1) pay the costs using amounts withheld from any
16 funds to which the district is otherwise entitled; or

17 (2) recover the amount of the costs in the manner
18 provided for recovery of an overallocation of state funds under
19 Section 42.258.

20 (b) The commissioner shall pay the costs of providing a
21 managing entity under Section 39.1327 from amounts appropriated to
22 the agency for purposes of this chapter. The commissioner may not
23 pay a managing entity from amounts withheld from funds to which the
24 school district in which the campus is located is otherwise
25 entitled.

26 SECTION 4. This Act applies beginning with the 2007-2008
27 school year.

1 SECTION 5. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2007.