

By: Howard of Travis

H.B. No. 771

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. Section 39.1323, Education Code, is amended by adding Subsection (g) to read as follows:

(g) Notwithstanding any other provision of this chapter, the commissioner may not impose on a campus for which a campus intervention team has been appointed under Section 39.1322(b) any additional sanctions until:

(1) the campus intervention team has completed the comprehensive on-site evaluation required under Subsection (a)(1) and the comprehensive on-site needs assessment under Subsection (b);

(2) the campus intervention team has made recommendations for a school improvement plan as provided by Subsection (a)(3); and

(3) the campus has received any financial or other assistance determined necessary under the evaluation process to implement the school improvement plan.

SECTION 2. Sections 39.1324(a), (b), (c), and (d), Education Code, are amended to read as follows:

(a) If a campus has been identified as academically unacceptable for two consecutive school years, including the

1 current school year, and has been capable as provided by Section
2 39.1323(g) of implementing a school improvement plan for two
3 complete school years after the appointment of a campus
4 intervention team under Section 39.1322(b), the commissioner shall
5 order the reconstitution of the campus and assign a campus
6 intervention team under this section. In reconstituting the
7 campus, a campus intervention team shall assist the campus in:

- 8 (1) developing a revised school improvement plan;
9 (2) obtaining approval of the plan from the
10 commissioner; and
11 (3) executing the plan on approval by the
12 commissioner.

13 (b) The campus intervention team shall decide which
14 educators may be retained at that campus. A principal who has been
15 employed by the campus in that capacity during the full two-year
16 period during which the campus has been identified as academically
17 unacceptable [~~described by Subsection (a)~~] may not be retained at
18 that campus. A teacher of a subject assessed by an assessment
19 instrument under Section 39.023 may be retained only if the campus
20 intervention team determines that a pattern exists of significant
21 academic improvement by students taught by the teacher. If an
22 educator is not retained, the educator may be assigned to another
23 position in the district.

24 (c) A campus subject to Subsection (a) shall implement the
25 revised school improvement plan as approved by the commissioner.
26 The commissioner may appoint a monitor, conservator, management
27 team, or [~~a~~] board of managers to the district to ensure and oversee

1 the implementation of the school improvement plan.

2 (d) Notwithstanding any other provision of this subchapter,
3 if the commissioner determines that a campus subject to Subsection
4 (a) is not fully implementing the revised school improvement plan,
5 the commissioner may pursue alternative management of the campus
6 under Section 39.1327 or may order closure of the campus.

7 SECTION 3. This Act applies beginning with the 2009-2010
8 school year.

9 SECTION 4. This Act takes effect immediately if it receives
10 a vote of two-thirds of all the members elected to each house, as
11 provided by Section 39, Article III, Texas Constitution. If this
12 Act does not receive the vote necessary for immediate effect, this
13 Act takes effect September 1, 2009.