

1-1 By: Dutton, Edwards (Senate Sponsor - West) H.B. No. 999
1-2 (In the Senate - Received from the House May 8, 2009;
1-3 May 8, 2009, read first time and referred to Committee on
1-4 Education; May 23, 2009, rereferred to Committee on Higher
1-5 Education; May 26, 2009, reported favorably by the following vote:
1-6 Yeas 5, Nays 0; May 26, 2009, sent to printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to the closure of a school campus by the board of trustees
1-10 of certain school districts.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subchapter D, Chapter 11, Education Code, is
1-13 amended by adding Section 11.174 to read as follows:

1-14 Sec. 11.174. CAMPUS CLOSURE. (a) This section applies only
1-15 to a school district with an enrollment of more than 155,000.

1-16 (b) Before ordering the closure of a school campus, the
1-17 board of trustees of a school district shall hold a public hearing
1-18 at which residents of the district may comment on the proposed
1-19 closure.

1-20 (c) Not later than the 14th day before the date of the
1-21 hearing, the board must:

1-22 (1) provide written notice of the hearing to the
1-23 parent of or person standing in parental relation to each student
1-24 affected by the closure; and

1-25 (2) publish notice of the hearing in a newspaper of
1-26 general circulation in the district.

1-27 (d) The notice of the hearing required by Subsection (c)
1-28 must include:

1-29 (1) the subject matter of the hearing, including the
1-30 reason for the proposed closure; and

1-31 (2) the location, date, and time of the hearing.

1-32 (e) Following a hearing under Subsection (b), the board
1-33 shall vote on the proposed closure. If the board votes to close a
1-34 school campus, the board shall send the results of the vote to the
1-35 commissioner for approval.

1-36 (f) The board may not order the closure of a school campus
1-37 without first obtaining the approval of the commissioner for the
1-38 closure. The commissioner shall approve or deny the board's
1-39 request for approval under this subsection not later than the 30th
1-40 day after the date the commissioner receives the request. If the
1-41 commissioner fails to act within the time prescribed by this
1-42 subsection, the request is considered approved.

1-43 (g) The board may not order the closure of a school campus
1-44 for which a campus intervention team has been appointed under
1-45 Section 39.1322(b) until:

1-46 (1) the campus intervention team has:

1-47 (A) completed the comprehensive on-site
1-48 evaluation required under Section 39.1323(a)(1) and the
1-49 comprehensive on-site needs assessment under Section 39.1323(b);

1-50 (B) made recommendations as provided by Sections
1-51 39.1323(a)(2) and (c); and

1-52 (C) assisted in the development of a school
1-53 improvement plan for student achievement as required under Section
1-54 39.1323(a)(3);

1-55 (2) the campus has received any financial or other
1-56 assistance determined necessary under the evaluation process to
1-57 implement the school improvement plan; and

1-58 (3) the campus has two complete school years during
1-59 which to implement the school improvement plan.

1-60 (h) The commissioner may adopt rules as necessary to
1-61 implement this section.

1-62 SECTION 2. This Act takes effect September 1, 2009.

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