

By: Turner of Harris

H.B. No. 2744

A BILL TO BE ENTITLED

1 AN ACT

2 relating to sanctions available for certain academically
3 unacceptable campuses.

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

5 SECTION 1. Section 39.1323, Education Code, is amended by
6 adding Subsection (g) to read as follows:

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

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

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

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

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

23 (a) If a campus has been identified as academically
24 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 may
5 ~~[shall]~~ order the reconstitution of the campus and assign a campus
6 intervention team under this section. In any reconstitution of
7 ~~[reconstituting]~~ the campus, a campus intervention team shall
8 assist the campus in:

9 (1) developing a revised school improvement plan;

10 (2) obtaining approval of the plan from the
11 commissioner; and

12 (3) executing the plan on approval by the
13 commissioner.

14 (b) The campus intervention team shall decide which
15 educators may be retained at a reconstituted ~~[that]~~ campus. ~~[A~~
16 ~~principal who has been employed by the campus in that capacity~~
17 ~~during the full two-year period described by Subsection (a) may not~~
18 ~~be retained at that campus.]~~ A teacher of a subject assessed by an

19 assessment instrument under Section 39.023 may be retained only if
20 the campus intervention team determines that a pattern exists of
21 significant academic improvement by students taught by the teacher.

22 If an educator is not retained, the educator may be assigned to
23 another position in the district. The fact that an educator is not

24 retained under this subsection does not constitute good cause under
25 Chapter 21 for suspension of the educator without pay, nonrenewal

26 or termination of the educator's contract, or discharge of the
27 educator.

1 (c) A campus reconstituted under this section [~~subject to~~
2 ~~Subsection (a)~~] shall implement the revised school improvement plan
3 as approved by the commissioner. The commissioner may appoint a
4 monitor, conservator, management team, or [~~a~~] board of managers to
5 the district to ensure and oversee the implementation of the school
6 improvement plan.

7 (d) Notwithstanding any other provision of this subchapter,
8 if the commissioner determines that a campus reconstituted under
9 this section [~~subject to Subsection (a)~~] is not fully implementing
10 the revised school improvement plan, the commissioner may pursue
11 alternative management of the campus under Section 39.1327 or may
12 order closure of the campus.

13 SECTION 3. Section 39.1327(a), Education Code, is amended
14 to read as follows:

15 (a) A campus may be subject to this section if the campus has
16 been identified as academically unacceptable under Section 39.132
17 and the commissioner orders alternative management under Section
18 39.1324(d) or [~~7~~] (e) [~~7 or (f)~~].

19 SECTION 4. Sections 39.116 and 39.1324(f), Education Code,
20 are repealed.

21 SECTION 5. This Act applies beginning with the 2009-2010
22 school year.

23 SECTION 6. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as
25 provided by Section 39, Article III, Texas Constitution. If this
26 Act does not receive the vote necessary for immediate effect, this
27 Act takes effect September 1, 2009.