

By: Davis, Wendy

S.B. No. 2087

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 subchapter,
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);

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; and

21 (4) the campus has two complete school years during
22 which to implement the school improvement plan.

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

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

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

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

26 (c) A campus subject to Subsection (a) shall implement the
27 revised school improvement plan as approved by the commissioner.

1 The commissioner may appoint a monitor, conservator, management
2 team, or ~~[a]~~ board of managers to the district to ensure and oversee
3 the implementation of the school improvement plan.

4 (d) Notwithstanding any other provision of this subchapter,
5 after the commissioner has ordered reconstitution of a campus under
6 this section and the campus has been capable of implementing a
7 revised school improvement plan as approved by the commissioner for
8 two complete school years:

9 (1) if the commissioner determines that the ~~[a]~~ campus
10 ~~[subject to Subsection (a)]~~ is not fully implementing the revised
11 school improvement plan or the campus's students fail to
12 demonstrate improved performance in the areas targeted by the
13 revised plan, the commissioner may pursue alternative management of
14 the campus under Section 39.1327; and

15 (2) if the campus's students demonstrate improved
16 performance in the areas targeted by the revised school improvement
17 plan, the commissioner may not impose any additional sanction on
18 the campus ~~[or may order closure of the campus]~~.

19 SECTION 3. Subchapter G, Chapter 39, Education Code, is
20 amended by adding Section 39.1325 to read as follows:

21 Sec. 39.1325. CAMPUS NAME CHANGE PROHIBITED.
22 Notwithstanding any other provision of this subchapter, in
23 reconstituting a campus, redesigning a campus, or imposing any
24 other sanction on a campus under this subchapter, the name of the
25 campus may not be changed.

26 SECTION 4. Section 13.1327(a), Education Code, is amended
27 to read as follows:

1 (a) A campus may be subject to this section if the campus has
2 been identified as academically unacceptable under Section 39.132
3 and the commissioner orders alternative management under Section
4 39.1324(d) [~~, (e), or (f)~~].

5 SECTION 5. Sections 39.1324(e) and (f), Education Code, are
6 repealed.

7 SECTION 6. This Act applies beginning with the 2009-2010
8 school year.

9 SECTION 7. 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.