

BILL ANALYSIS

S.B. 738
By: Shapiro
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties assert that current law does not adequately provide for parental participation in applying certain sanctions to a school with an unacceptable performance rating. S.B. 738 seeks to address this issue by amending current law relating to a parental role in determining sanctions applied to a public school campus under certain circumstances.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the commissioner of education in SECTION 1 of this bill.

ANALYSIS

S.B. 738 amends the Education Code to require the commissioner of education, if the commissioner is presented, in the time and manner specified by commissioner rule, a written petition signed by the parents of a majority of the students enrolled at a campus that is considered to have an unacceptable performance rating for three consecutive school years after the campus is reconstituted specifying a repurposing of the campus, alternative management of the campus, or closure of the campus, to order the specific action requested, except as otherwise authorized by the bill's provisions. The bill establishes that the signature of only one parent of a student is required. The bill authorizes the commissioner, if the board of trustees of the school district in which the campus is located presents to the commissioner, in the time and manner specified by commissioner rule, a written request that the commissioner order a specific action concerning a campus other than the specific action requested in the parents' petition and a written explanation of the basis for the board's request, to order the action requested by the board of trustees. The bill provides for the meaning of "parent" for purposes of these provisions by reference.

S.B. 738 makes its provisions applicable beginning with the 2011-2012 school year. The bill makes a conforming change.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.