

By: Shapiro

S.B. No. 738

A BILL TO BE ENTITLED

1 AN ACT
2 relating to a parental role in determining sanctions applied to a
3 public school campus under certain circumstances.

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

5 SECTION 1. Section 39.107, Education Code, is amended by
6 amending Subsection (e) and adding Subsections (e-2) and (e-3) to
7 read as follows:

8 (e) If a campus is considered to have an unacceptable
9 performance rating for three consecutive school years after the
10 campus is reconstituted under Subsection (a), the commissioner,
11 subject to Subsection (e-1) or (e-2), shall order:

- 12 (1) repurposing of the campus under this section;
13 (2) alternative management of the campus under this
14 section; or
15 (3) closure of the campus.

16 (e-2) For purposes of this subsection, "parent" has the
17 meaning assigned by Section 12.051. If the commissioner is
18 presented, in the time and manner specified by commissioner rule, a
19 written petition signed by the parents of a majority of the students
20 enrolled at a campus to which Subsection (e) applies, specifying
21 the action described by Subsection (e)(1), (2), or (3) that the
22 parents request the commissioner to order, the commissioner shall,
23 except as otherwise authorized by this subsection, order the
24 specific action requested. If the board of trustees of the school

1 district in which the campus is located presents to the
2 commissioner, in the time and manner specified by commissioner
3 rule, a written request that the commissioner order specific action
4 authorized under Subsection (e) other than the specific action
5 requested in the parents' petition and a written explanation of the
6 basis for the board's request, the commissioner may order the
7 action requested by the board of trustees.

8 (e-3) For purposes of Subsection (e-2), the signature of
9 only one parent of a student is required.

10 SECTION 2. This Act applies beginning with the 2011-2012
11 school year.

12 SECTION 3. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2011.