

By: N. Gonzalez of El Paso

H.B. No. 2976

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to parental involvement in certain procedures regarding a  
3 school campus receiving an unacceptable performance rating under  
4 certain circumstances.

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

6 SECTION 1. Sections 39.107(a), (e), and (e-2), are amended  
7 to read as follows:

8 (a) Except as provided by Subsection (e-2), after ~~[After]~~ a  
9 campus has been identified as unacceptable for two consecutive  
10 school years, the commissioner shall order the reconstitution of  
11 the campus.

12 (e) If a campus is considered to have an unacceptable  
13 performance rating for two ~~[three]~~ consecutive school years after  
14 the campus is reconstituted under Subsection (a), the commissioner,  
15 subject to Subsection (e-1) or (e-2), shall order:

- 16 (1) repurposing of the campus under this section;  
17 (2) alternative management of the campus under this  
18 section; or  
19 (3) closure of the campus.

20 (e-2) For purposes of this subsection, "parent" has the  
21 meaning assigned by Section 12.051. If the commissioner is  
22 presented, in the time and manner specified by commissioner rule, a  
23 written petition signed by the parents of a majority of the students  
24 enrolled at a campus to which Subsection (a) or (e) applies,

1 specifying an ~~[the]~~ action described by Subsection (e)(1), (2), or  
2 (3) that the parents request the commissioner to order, the  
3 commissioner shall ~~[, except as otherwise authorized by this~~  
4 ~~subsection,]~~ order the specific action requested. The commissioner  
5 shall adopt rules defining the role of parents in the  
6 implementation of the requested action, including selection of an  
7 alternative management provider or entity engaged for repurposing,  
8 as applicable ~~[If the board of trustees of the school district in~~  
9 ~~which the campus is located presents to the commissioner, in the~~  
10 ~~time and manner specified by commissioner rule, a written request~~  
11 ~~that the commissioner order specific action authorized under~~  
12 ~~Subsection (c) other than the specific action requested in the~~  
13 ~~parents' petition and a written explanation of the basis for the~~  
14 ~~board's request, the commissioner may order the action requested by~~  
15 ~~the board of trustees].~~

16 SECTION 2. The changes in law made by this Act apply  
17 beginning with the 2013-2014 school year.

18 SECTION 3. The changes in law made by this Act supersede any  
19 other law to the extent of a conflict.

20 SECTION 4. This Act takes effect immediately if it receives  
21 a vote of two-thirds of all the members elected to each house, as  
22 provided by Section 39, Article III, Texas Constitution. If this  
23 Act does not receive the vote necessary for immediate effect, this  
24 Act takes effect September 1, 2013.