

By: Bohac

H.B. No. 3802

A BILL TO BE ENTITLED

AN ACT

1
2 relating to public school transfers and interventions and sanctions
3 for a campus experiencing a routinely large number of requests to
4 transfer from the campus.

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

6 SECTION 1. Subchapter B, Chapter 25, Education Code, is
7 amended by adding Section 25.0344 to read as follows:

8 Sec. 25.0344. CAMPUS TRANSFER REQUESTS. (a) This section
9 applies only to a school district that operates more than one campus
10 serving the same grade levels.

11 (b) The board of trustees of a school district shall
12 establish a local policy consistent with this subchapter to allow a
13 parent or person standing in parental relation to any student to
14 request a transfer of the student from the campus the student would
15 otherwise attend to another campus in the district. The district
16 shall maintain information as required by the commissioner
17 regarding the number of requests for transfer each school year and
18 the extent to which transfer requests are approved. A decision by
19 the board regarding student assignment to a campus is final unless
20 the student, parent, or person standing in parental relation to the
21 student files an exception as provided by Sections 25.034(e) and
22 (f).

23 (c) If the parents of more than 4 percent of the students at
24 a campus during a school year request a transfer for the following

1 school year, the board shall hold a public hearing before the end of
2 the school year to discuss transfers. At the hearing the board
3 shall consider:

4 (1) increasing the capacity at campuses to which
5 transfers are requested;

6 (2) improving programs and facilities at the campus
7 from which transfers are requested; and

8 (3) reallocating budget resources or staff to the
9 campus from which transfers are requested.

10 (d) If the parents of more than 4 percent of the students at
11 a campus have requested a transfer for three consecutive school
12 years, the board must enter into an agreement with a consultant from
13 an approved list provided by the commissioner for recommendations
14 to decrease the number of parents requesting a transfer. The
15 consultant's recommendations must be considered at a public hearing
16 before the district's budget is adopted by the board.

17 (e) If the parents of more than 4 percent of the students at
18 a campus have requested a transfer for five consecutive years, the
19 board shall, after a public hearing, repurpose the campus to
20 provide a magnet, early college, or other alternative program. The
21 board repurposing plan must be approved by the commissioner before
22 the campus may reopen.

23 (f) If the parents of more than 4 percent of students at a
24 campus have requested a transfer for seven consecutive years, the
25 board may not issue bonds for the acquisition or equipment of
26 facilities under Chapter 45 until the board makes a finding that the
27 bonds are prioritized to address the persistence of transfer

1 requests.

2 (g) If the parents of more than 4 percent of students at a
3 campus have requested a transfer for 10 consecutive years, the
4 board must close the campus for at least one school year. The
5 educational program, staffing, and budget of the campus must be
6 approved by the commissioner before the campus may be reopened.

7 (h) The board shall maintain on the district's Internet
8 website and shall annually notify parents in writing of the
9 percentage of transfer requests for the previous 10 years for the
10 campus to which a student is assigned.

11 (i) The commissioner may adopt rules to implement this
12 section.

13 SECTION 2. This Act takes effect immediately if it receives
14 a vote of two-thirds of all the members elected to each house, as
15 provided by Section 39, Article III, Texas Constitution. If this
16 Act does not receive the vote necessary for immediate effect, this
17 Act takes effect September 1, 2013.