86R23562 MP-D

By:  Hinojosa H.B. No. 2797

Substitute the following for H.B. No. 2797:

By:  Bernal C.S.H.B. No. 2797

A BILL TO BE ENTITLED

AN ACT

relating to evaluation under the state accountability system of school district campuses that enroll certain students who receive special education services.

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

SECTION 1.  Subchapter C, Chapter 39, Education Code, is amended by adding Section 39.0547 to read as follows:

Sec. 39.0547.  EVALUATING SPECIALIZED SUPPORT CAMPUSES. (a) In this section, "specialized support campus" means a school district campus that:

(1)  has a campus identification number;

(2)  serves students enrolled in any grade level at which state assessment instruments are administered; and

(3)  has a student enrollment in which:

(A)  at least 90 percent of students receive special education services under Subchapter A, Chapter 29; and

(B)  a significant percentage of the students required to take an assessment instrument under Section 39.023:

(i)  take an alternative assessment instrument under Section 39.023(b) or (b-1); and

(ii)  are unable to provide an authentic academic response on that assessment instrument.

(b)  The commissioner, in consultation with administrators of specialized support campuses, teachers at specialized support campuses, parents and guardians of students enrolled at specialized support campuses, and other stakeholders, by rule shall establish appropriate accountability guidelines under this chapter for use by a specialized support campus in developing an alternative accountability plan under Subsection (c) based on the specific student population served by the campus. The commissioner shall provide for public notice and comment in adopting rules under this subsection.

(c)  A specialized support campus may develop and submit to the commissioner for approval an alternative accountability plan tailored to the student population served by the campus, based on the guidelines established under Subsection (b). The commissioner may approve the alternative accountability plan only if the plan:

(1)  follows the guidelines established under Subsection (b); and

(2)  complies with applicable federal law.

(d)  Notwithstanding any other provision of this code, if the commissioner approves an alternative accountability plan developed by a specialized support campus under Subsection (c), the commissioner shall determine, report, and consider the performance of students enrolled at the campus using that plan.

(e)  Not later than December 1, 2022, the commissioner shall submit to the governor, the lieutenant governor, the speaker of the house of representatives, and the standing legislative committees with primary jurisdiction over public education a report on the effectiveness of this section in evaluating specialized support campuses and any recommendations for legislative or other action.

(f)  This section expires September 1, 2023.

SECTION 2.  This Act applies beginning with the 2019-2020 school year.

SECTION 3.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.