86R27715 CAE-D

By:  Bernal, Dutton, Meyer, Talarico H.B. No. 2881

Substitute the following for H.B. No. 2881:

By:  VanDeaver C.S.H.B. No. 2881

A BILL TO BE ENTITLED

AN ACT

relating to establishing resource campuses to improve a public school campus not performing satisfactorily.

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

SECTION 1.  Subtitle H, Title 2, Education Code, is amended by adding Chapter 39B to read as follows:

CHAPTER 39B. RESOURCE CAMPUS

SUBCHAPTER A. DESIGNATION AS RESOURCE CAMPUS

Sec. 39B.001.  RESOURCE CAMPUS. (a) A school district campus that is eligible under Subsection (b) may apply to the commissioner to be designated as a resource campus that provides quality education and enrichment for campus students.

(b)  To apply to be designated as a resource campus under this chapter the campus must have received an overall performance rating under Section 39.054 of F for four years over a 10-year period of time.

(c)  A campus approved by the commissioner as a resource campus under this chapter:

(1)  is exempt from the interventions and sanctions provided by Chapter 39A; and

(2)  qualifies for funding as provided by Section 42.2511.

Sec. 39B.002.  CAMPUS EVALUATION TEAM AND NEEDS ASSESSMENT. Before a campus submits to the commissioner an application to be designated as a resource campus, the campus must:

(1)  form a campus evaluation team that includes:

(A)  the district superintendent;

(B)  classroom teachers;

(C)  a community member;

(D)  a parent or guardian of a student enrolled at the campus during any period for which the campus received the F overall performance rating; and

(E)  an educator other than a classroom teacher; and

(2)  complete an on-site needs assessment as required by Section 39A.053, which must include:

(A)  a summary of the extent and quality of mentoring and social supports in place for all students and a detailed identification of the need for mentoring and support for students identified as being at a higher risk of needing additional support; and

(B)  an identification of the community services and programs active at the campus and information about the frequency of use by students and educators of the services and programs and the length of time the services and programs have operated at the campus.

Sec. 39B.003.  PUBLIC MEETING. After a campus submits an application to be designated as a resource campus, the campus must conduct a public meeting to review the campus overall performance rating and solicit input for the development of the targeted improvement plan required under Section 39A.055. The meeting must include participation by:

(1)  the principal;

(2)  members of the campus-level planning and decision-making committee established under Section 11.251;

(3)  parents of students attending the campus; and

(4)  community members who reside in the school district.

Sec. 39B.004.  RECOMMENDATION OF CAMPUS EVALUATION TEAM. The campus evaluation team shall:

(1)  determine if the campus would benefit from designation as a resource campus; and

(2)  provide recommendations on policies the campus must adopt to meet the resource campus program requirements.

Sec. 39B.005.  DECISION OF COMMISSIONER. (a) The commissioner shall notify a campus if it has been designated as a resource campus not later than the 60th day after the date the commissioner receives the request for the designation.

(b)  To allow a resource campus an opportunity to prepare to operate as provided by this chapter, including the hiring and training of educators, the campus begins the school year as a resource campus as provided by this chapter during the second school year that begins after approval of the designation by the commissioner.

(c)  A decision by the commissioner regarding whether to designate a campus as a resource campus is final and may not be appealed.

SUBCHAPTER B. CAMPUS STAFF

Sec. 39B.051.  PRINCIPAL. (a) The principal of a resource campus must demonstrate effectiveness in working with high-need campuses.

(b)  The person who was principal of the campus before the campus was designated as a resource campus may apply to continue as principal of the resource campus if the person has the minimum experience required by Subsection (c)(1).

(c)  A principal of a resource campus must:

(1)  have at least three years of experience as an administrator;

(2)  demonstrate a history of:

(A)  developing a plan for campus improvement; and

(B)  consistently and proactively facilitating professional learning communities in implementing and designing rigorous and standards-aligned curriculum;

(3)  demonstrate an ability to mentor, support, and retain high-quality faculty and staff; and

(4)  demonstrate organizational skills and the ability to manage the campus and personal time to accomplish campus goals.

(d)  The principal at a resource campus shall:

(1)  establish protocols to ensure achievement of campus goals and targets and continuously analyze any available data to monitor, evaluate, and refine the goals and targets;

(2)  develop collective instructional practices that are consistent with child development, effective pedagogy, and the needs of each student;

(3)  implement and oversee a system of monitoring research-based instructional strategies in every classroom;

(4)  provide educators at the campus with timely, relevant, and constructive feedback;

(5)  provide multiple sources of progress monitoring for teachers to ensure that students are consistently improving;

(6)  collaborate with all campus educators and use multiple measures and data from multiple points of the school year to complete accurate appraisals of all educators, including evidence from observations and formal and informal interactions;

(7)  set specific goals for each educator at the campus and actively track the educator's progress;

(8)  use all campus funds in compliance with state and federal guidelines and maximize the goals of the campus; and

(9)  implement effective strategies to systematically gather input and communication from all campus and community stakeholders to ensure that all are an integral part of the campus culture.

Sec. 39B.052.  TEACHERS. (a) A teacher at a resource campus must have at least three years of teaching experience. The principal, after consultation with district administration, has sole discretion over the hiring of teachers.

(b)  After a campus receives designation as a resource campus, every teacher employed at the campus before the designation must apply for a position to continue as a teacher at the campus.

(c)  All rights and protections afforded by current employment contracts or agreements are not affected by the resource campus program.

(d)  To apply for employment at a resource campus a teacher must:

(1)  be rated as accomplished or above on an annual evaluation, which must account for at least 50 percent of the qualifications required and have been completed during the most recent school year;

(2)  demonstrate instructional effectiveness, which must account for at least 10 percent of the qualifications required and be based on the following:

(A)  a teacher for prekindergarten through second grade must include evidence of students reaching learning objectives through age-appropriate evaluations;

(B)  a teacher for grades three through five must include evidence of:

(i)  students reaching learning objectives through age-appropriate evaluations;

(ii)  positive achievement and progress on quantitative assessments adopted by the district or the state;

(iii)  if an assessment is not available for a subject, the use of related adopted assessments as well as a portfolio of results of teacher-developed curriculum-based assessments; and

(iv)  effectiveness with high-need students; and

(C)  a teacher for grades six through 12 must include evidence of:

(i)  students reaching learning objectives through age-appropriate evaluations;

(ii)  positive achievement and progress on quantitative assessments adopted by the district or state;

(iii)  if an assessment is not available for a subject, the use of related adopted assessments as well as a portfolio of results of teacher-developed curriculum-based assessments; and

(iv)  effectiveness with high-need students; and

(3)  if available, have received positive student and parent experience surveys developed and approved by the district, which must account for at least 15 percent of the qualifications required.

Sec. 39B.053.  SCHOOL COUNSELORS. (a) A resource campus must employ at least one school counselor for every 300 students.

(b)  The school counselor shall implement a positive behavior program as provided by Section 37.0013.

Sec. 39B.054.  SOCIAL SERVICES PROFESSIONAL. A resource campus must employ at least one appropriately licensed professional to assist with the social and emotional needs of students and staff. The person must be a:

(1)  family and community liaison;

(2)  clinical social worker;

(3)  specialist in school psychology; or

(4)  professional counselor.

SUBCHAPTER C. OPERATION OF CAMPUS

Sec. 39B.101.  EXEMPTION FROM ACCOUNTABILITY INTERVENTIONS AND SANCTIONS. The commissioner may not impose a sanction or take action against a resource campus under Section 39A.111 for failure to satisfy academic performance standards during the first two school years of operation as a resource campus.  The overall performance rating received by the campus during the first two school years of operation as a resource campus is not included in calculating consecutive school years and is not considered a break in consecutive school years under Section 39A.111.

Sec. 39B.102.  ANNUAL APPRAISAL. (a) All educators, including the principal, must be evaluated on an annual basis by an appropriate supervisor.

(b)  In a manner consistent with Chapter 21, the principal may remove an educator if the educator falls below an accomplished rating in one or more categories.

Sec. 39B.103.  LOCAL EVALUATION SYSTEM. (a) If a resource campus does not use a state evaluation program, the campus must develop an appraisal system that is supported by locally adopted policy and procedures and complies with Section 21.352.

(b)  The district-level planning and decision-making committee established under Section 11.251 shall develop an appraisal process and evaluation criteria for all educators, including discipline management and the performance of an educator's students.

(c)  The appraisal process must include:

(1)  a conference between the educator and the appraiser that is diagnostic and prescriptive with regard to remediation needed in overall performance by category; and

(2)  criteria based on observable, job-related behavior, including:

(A)  the educator's implementation of classroom management procedures; and

(B)  the performance of any students assigned to the educator.

(d)  The district-level planning and decision-making committee shall submit the appraisal process and criteria to the superintendent, who shall submit the appraisal process and criteria to the board of trustees of the district with a recommendation to accept or reject.

(e)  The board of trustees may accept or reject an appraisal process and performance criteria, with comments, but may not modify the process or criteria.

Sec. 39B.104.  CAMPUS SALARIES; SCHOOL DAY; CLASS SIZE. (a) Educators at a resource campus must receive a salary higher than the district average.

(b)  The school day at a resource campus must be longer than the school day at a similar campus in the district that is not designated as a resource campus.

(c)  Class size at a resource campus may not exceed 22 students for every one teacher.

(d)  Every classroom at a resource campus must have advanced technology programs and applications.

Sec. 39B.105.  USE OF ADDITIONAL FUNDING. (a) A portion of any additional funding received by the school district under Section 42.2511 and attributable to the resource campus must be used to provide higher salaries for all educators at the resource campus as required by Section 39B.104(a). The district shall make every effort to provide each educator with a significant salary increase. The increased salary provided under this subchapter is a supplement to the educator's salary and may not supplant any other increase for which the educator is eligible.

(b)  A portion of any additional funding received by the school district under Section 42.2511 and attributable to the resource campus:

(1)  must be used to provide additional technology in every classroom at the resource campus; and

(2)  may be used for any needed resource campus facility improvements.

SUBCHAPTER D. RULES; AGENCY ASSISTANCE

Sec. 39B.151.  COMMISSIONER RULES. The commissioner may adopt rules necessary to implement this chapter.

Sec. 39B.152.  AGENCY ASSISTANCE. On the request of a school district, the agency shall assist the district in:

(1)  applying for designation of a district campus as a resource campus; and

(2)  developing and implementing a plan to operate a district campus as a resource campus.

SECTION 2.  Section 42.2511(a), Education Code, is amended to read as follows:

(a)  This section applies only to:

(1)  a school district and an open-enrollment charter school that enter into a contract to operate a district campus as provided by Section 11.174; [~~and~~]

(2)  a charter granted by a school district for a program operated by an entity that has entered into a contract under Section 11.174, provided that the district does not appoint a majority of the governing body of the charter holder; and

(3)  a school district that operates a resource campus as provided by Chapter 39B.

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.