

AN ACT

1
2 relating to accountability intervention provisions applicable to
3 school district campuses, including the conditions under which a
4 closed campus may be repurposed to serve students at that campus
5 location and the creation of accelerated campus excellence
6 turnaround plans.

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

8 SECTION 1. Section [39A.105](#), Education Code, is amended to
9 read as follows:

10 Sec. 39A.105. CONTENTS OF CAMPUS TURNAROUND PLAN. (a) A
11 campus turnaround plan must include:

12 (1) details on the method for restructuring,
13 reforming, or reconstituting the campus;

14 (2) a detailed description of the academic programs to
15 be offered at the campus, including:

16 (A) instructional methods;

17 (B) length of school day and school year;

18 (C) academic credit and promotion criteria; and

19 (D) programs to serve special student
20 populations;

21 (3) if a district charter is to be granted for the
22 campus under Section [12.0522](#):

23 (A) the term of the charter; and

24 (B) information on the implementation of the

1 charter;

2 (4) written comments from:

3 (A) the campus-level committee established under
4 Section 11.251, if applicable;

5 (B) parents; and

6 (C) teachers at the campus; and

7 (5) a detailed description of the budget, staffing,
8 and financial resources required to implement the plan, including
9 any supplemental resources to be provided by the school district or
10 other identified sources.

11 (b) A campus may submit an accelerated campus excellence
12 turnaround plan as provided by this subsection. The plan must
13 provide:

14 (1) the assignment of a principal to the campus who has
15 demonstrated a history of improvement in student academic growth at
16 campuses in which the principal has previously worked;

17 (2) that the principal has final authority over
18 personnel decisions at the campus;

19 (3) that at least 60 percent of the classroom teachers
20 assigned to the campus be teachers who demonstrated instructional
21 effectiveness during the previous school year, with instructional
22 effectiveness determined by:

23 (A) for a teacher who taught in the district
24 during the previous school year:

25 (i) the teacher's impact on student growth
26 as determined using a locally developed value-added model that
27 measures student performance on at least one assessment selected by

1 the district; and

2 (ii) an evaluation of the teacher based on
3 classroom observation; and

4 (B) for a teacher who did not teach in the
5 district during the previous school year, data and other evidence
6 indicating that if the teacher had taught in the district during the
7 previous school year, the teacher would have performed in the top
8 half of teachers in the district;

9 (4) a detailed description of the employment and
10 compensation structures for the principal and classroom teachers,
11 which must include:

12 (A) significant incentives for a high-performing
13 principal or teacher to remain at the campus; and

14 (B) a three-year commitment by the district to
15 continue incentives for the principal and teachers;

16 (5) policies and procedures for the implementation of
17 best practices at the campus, including:

18 (A) data-driven instructional practices;

19 (B) a system of observation of and feedback for
20 classroom teachers;

21 (C) positive student culture on the campus;

22 (D) family and community engagement, including
23 partnerships with parent and community groups;

24 (E) extended learning opportunities for
25 students, which may include service or workforce learning
26 opportunities; and

27 (F) providing student services before or after

1 the instructional day that improve student performance, which may
2 include tutoring, extracurricular activities, counseling services,
3 and offering breakfast, lunch, and dinner to all students at the
4 campus; and

5 (6) assistance by a third-party provider that is
6 approved by the commissioner in the development and implementation
7 of the district's plan.

8 (c) The commissioner may provide guidance to districts as
9 necessary to implement an accelerated campus excellence turnaround
10 plan under Subsection (b).

11 SECTION 2. Section 39A.107, Education Code, is amended by
12 adding Subsection (a-3) to read as follows:

13 (a-3) Notwithstanding Subsection (a), the commissioner
14 shall approve a campus turnaround plan that the commissioner
15 determines meets the requirements for an accelerated campus
16 excellence turnaround plan under Section 39A.105(b).

17 SECTION 3. Section 39A.113, Education Code, is amended by
18 amending Subsections (a) and (b) and adding Subsection (a-1) to
19 read as follows:

20 (a) If the commissioner orders the closure of a campus under
21 this subchapter, that campus may be repurposed to serve students at
22 that campus location only if the commissioner:

23 (1) finds that the repurposed campus [+
24 [~~(A)~~] offers a distinctly different academic
25 program[+] and:

26 (A) [~~(B)~~] serves a majority of grade levels not
27 served at the original campus; or [~~and~~]

1 (B) is operated under a contract, approved by the
2 school district board of trustees, with a nonprofit organization
3 exempt from federal taxation under Section 501(c)(3), Internal
4 Revenue Code of 1986, that:

5 (i) has a governing board that is
6 independent of the district;

7 (ii) has a successful history of operating
8 school district campuses or open-enrollment charter schools:

9 (a) that cumulatively serve 10,000 or
10 more students; and

11 (b) a majority of which have been
12 assigned an overall performance rating of B or higher under Section
13 39.054 for the preceding school year; and

14 (iii) has been assigned an overall
15 performance rating of B or higher under Section 39.054 for the
16 preceding school year; and

17 (2) approves a new campus identification number for
18 the repurposed campus.

19 (a-1) A contract described by Subsection (a)(1)(B) must
20 provide that a student residing in the attendance zone of the campus
21 immediately before the campus was repurposed shall be admitted for
22 enrollment at the repurposed campus.

23 (b) The majority of students assigned to a campus that has
24 been closed and repurposed under Subsection (a)(1)(A) may not have
25 attended that campus in the previous school year.

26 SECTION 4. Subchapter C, Chapter 39A, Education Code, is
27 amended by adding Section 39A.116 to read as follows:

1 Sec. 39A.116. COMMISSIONER AUTHORITY. A decision by the
2 commissioner under this subchapter is final and may not be
3 appealed.

4 SECTION 5. (a) The commissioner of education shall select
5 one campus that received an unacceptable rating for the 2017-2018
6 school year to submit an accelerated campus excellence turnaround
7 plan as provided by Section 39A.105(b), Education Code, as added by
8 this Act, for the 2019-2020 school year. The commissioner may
9 adjust timelines established under Chapter 39A, Education Code, for
10 the campus selected by the commissioner under this section for
11 purposes of developing and implementing the accelerated campus
12 excellence turnaround plan. A decision by the commissioner under
13 this section is final and may not be appealed.

14 (b) Except as provided by Subsection (a), Sections 39A.105
15 and 39A.107, Education Code, as amended by this Act, apply
16 beginning with the 2020-2021 school year.

17 SECTION 6. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2019.

President of the Senate

Speaker of the House

I certify that H.B. No. 4205 was passed by the House on April 25, 2019, by the following vote: Yeas 120, Nays 7, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 4205 on May 24, 2019, by the following vote: Yeas 117, Nays 24, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 4205 was passed by the Senate, with amendments, on May 22, 2019, by the following vote: Yeas 27, Nays 4.

Secretary of the Senate

APPROVED: _____

Date

Governor