

By: Perry, et al.  
(Burrows)

S.B. No. 1412

Substitute the following for S.B. No. 1412:

By: King of Hemphill

C.S.S.B. No. 1412

A BILL TO BE ENTITLED

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

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 80 percent of the classroom teachers  
20 assigned to the campus be teachers who performed in the top quartile  
21 of teachers in the district that employed the teacher during the  
22 previous school year, with performance 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 and

27 (ii) an evaluation of the teacher based on

1 classroom observation; and

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

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

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

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

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

16 (A) data-driven instructional practices;

17 (B) a system of observation of and feedback for  
18 classroom teachers;

19 (C) positive student culture on the campus;

20 (D) family and community engagement, including  
21 partnerships with parent and community groups;

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

25 (F) providing student services before or after  
26 the instructional day that improve student performance, which may  
27 include tutoring, extracurricular activities, counseling services,

1 and offering breakfast, lunch, and dinner to all students at the  
2 campus; and

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

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

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

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

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

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

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

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

26 (B) is operated under a contract, approved by the  
27 school district board of trustees, with a nonprofit organization

1 exempt from federal taxation under Section 501(c)(3), Internal  
2 Revenue Code of 1986, that:

3 (i) has a governing board that is  
4 independent of the district;

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

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

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

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

15 (2) approves a new campus identification number for  
16 the repurposed campus.

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

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

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

26 Sec. 39A.116. COMMISSIONER AUTHORITY. A decision by the  
27 commissioner under this subchapter is final and may not be

1 appealed.

2           SECTION 5. (a) The commissioner of education shall select  
3 one campus that received an unacceptable rating for the 2017-2018  
4 school year, regardless of the number of consecutive years the  
5 campus has received an unacceptable rating, to submit an  
6 accelerated campus excellence turnaround plan as provided by  
7 Section 39A.105(b), Education Code, as added by this Act, for the  
8 2019-2020 school year. The commissioner may adjust timelines  
9 established under Chapter 39A, Education Code, for the campus  
10 selected by the commissioner under this section for purposes of  
11 developing and implementing the accelerated campus excellence  
12 turnaround plan.

13           (b) Except as provided by Subsection (a) of this section,  
14 Sections 39A.105 and 39A.107, Education Code, as amended by this  
15 Act, and Section 39A.116, Education Code, as added by this Act,  
16 apply beginning with the 2020-2021 school year.

17           SECTION 6. The commissioner of education may adopt rules  
18 necessary to implement this Act.

19           SECTION 7. This Act takes effect immediately if it receives  
20 a vote of two-thirds of all the members elected to each house, as  
21 provided by Section 39, Article III, Texas Constitution. If this  
22 Act does not receive the vote necessary for immediate effect, this  
23 Act takes effect September 1, 2019.