

**House Bill 4205**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Section 39A.105, Education Code, is amended to read as follows:

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

- (1) details on the method for restructuring, reforming, or reconstituting the campus;
  - (2) a detailed description of the academic programs to be offered at the campus, including:
    - (A) instructional methods;
    - (B) length of school day and school year;
    - (C) academic credit and promotion criteria; and
    - (D) programs to serve special student populations;
  - (3) if a district charter is to be granted for the campus under Section 12.0522:
    - (A) the term of the charter; and
    - (B) information on the implementation of the charter;
  - (4) written comments from:
    - (A) the campus-level committee established under Section 11.251, if applicable;
    - (B) parents; and
    - (C) teachers at the campus; and
  - (5) a detailed description of the budget, staffing, and financial resources required to implement the plan, including any supplemental resources to be provided by the school district or other identified sources.
- (b) A campus may submit an accelerated campus excellence turnaround plan as provided by this subsection. The plan must provide:
- (1) the assignment of a principal to the campus who has demonstrated a history of improvement in student academic

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  - (3) if a district charter is to be granted for the campus under Section 12.0522:
    - (A) the term of the charter; and
    - (B) information on the implementation of the charter;
  - (4) written comments from:
    - (A) the campus-level committee established under Section 11.251, if applicable;
    - (B) parents; and
    - (C) teachers at the campus; and
  - (5) a detailed description of the budget, staffing, and financial resources required to implement the plan, including any supplemental resources to be provided by the school district or other identified sources.
- (b) A campus may submit an accelerated campus excellence turnaround plan as provided by this subsection. The plan must provide:
- (1) the assignment of a principal to the campus who has demonstrated a history of improvement in student academic

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growth at campuses in which the principal has previously worked;

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

(3) that at least 80 percent of the classroom teachers assigned to the campus be teachers who performed in the top quartile of teachers in the district that employed the teacher during the previous school year, with performance determined by:

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

(i) the teacher's impact on student growth; and

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

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

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

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

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

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

(A) data-driven instructional practices;

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growth at campuses in which the principal has previously worked;

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

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

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

(i) the teacher's impact on student growth as determined using a locally developed value-added model that measures student performance on at least one assessment selected by the district; and [FA1(1)]

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

(B) for a teacher who did not teach in the district during the previous school year, data and other evidence indicating that if the teacher had taught in the district during the previous school year, the teacher would have performed in the top half of teachers in the district; [FA1(2)]

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

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

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

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

(A) data-driven instructional practices;

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

(C) positive student culture on the campus;

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

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

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

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

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

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

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

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

(C) positive student culture on the campus;

(D) family and community engagement, including partnerships with parent and community groups; [FA2(1)]

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

(F) providing student services before or after the instructional day that improve student performance, which may include tutoring, extracurricular activities, counseling services, and offering breakfast, lunch, and dinner to all students at the campus; and [FA2(2)]

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

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

SECTION 2. Same as House version.

SECTION 3. Same as House version.

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

(1) finds that the repurposed campus [; ~~(A)~~ offers a distinctly different academic program[;] and; (A) ~~(B)~~ serves a majority of grade levels not served at the original campus; or ~~and~~

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

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

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

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

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

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

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

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

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

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No equivalent provision.

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

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

SECTION 5. 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.

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SECTION \_\_. Subchapter C, Chapter 39A, Education Code, is amended by adding Section 39A.116 to read as follows:  
Sec. 39A.116. COMMISSIONER AUTHORITY. A decision by the commissioner under this subchapter is final and may not be appealed. [FA1(3)]

SECTION 4. Same as House version.

SECTION 5. Same as House version.

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