

BILL ANALYSIS

C.S.H.B. 1891
By: Rodriguez, Eddie
Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Community schools, interested parties note, are public schools that are open throughout the year to students, families, and community members before, during, and after school hours. These schools have high standards and expectations for students, qualified teachers, and rigorous curriculum and they implement a number of community-based approaches to education to improve the quality of education for students in the community and to engage that community. According to the parties, there is no definition for community schools in the law that would provide a uniform set of practices and standards. C.S.H.B. 1891 seeks to define the community school model according to nationally accepted standards and to make adopting a community school reform an option, in lieu of reconstitution, for certain underperforming campuses.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the commissioner of education in SECTION 1 of this bill.

ANALYSIS

C.S.H.B. 1891 amends the Education Code to authorize a public elementary, middle, junior high, or high school to transition to a Texas community school, as described by the bill, if the school meets the following requirements: the school establishes a school community partnership team to function as the school's campus-level planning and decision-making committee, composed of certain members required by statute for district-level and campus-level planning and decision-making and additional community representatives; the school conducts a comprehensive on-site needs assessment using specified guidelines and procedures; the school establishes a partnership with a lead community-based organization, such as Communities in Schools, a social service provider, or an education or youth services organization, that has experience in developing and implementing a community school plan; the school develops a community school plan that satisfies the requirements for a campus improvement plan; and the school gains approval for the community school plan from at least 75 percent of campus faculty and staff and 75 percent of parents of students enrolled at the school and from the board of trustees of the school district in which the school is located. The bill describes a Texas community school as a public elementary, middle, junior high, or high school that partners with one or more community-based organizations to coordinate academic, social, and health services to reduce barriers to learning and improve the quality of education for students in the community and that offers a variety of programs and services.

C.S.H.B. 1891 requires a school that transitions to a Texas community school to hire a new

employee or designate a school district employee or an employee of a community-based organization with experience in developing and implementing a community school plan as the community school coordinator for the school and sets out the coordinator's duties. The bill authorizes a school, in developing or implementing a community school plan, to seek assistance from other community schools, regional education service centers, or technical assistance providers. The bill establishes that a technical assistance provider is a public or private entity that has experience in developing and implementing a community school plan and that provides the following:

- professional development, training, technical assistance, coaching, or quality assurance activities to assist schools in transitioning to a Texas community school, sustaining the community school plan, or maximizing the effectiveness of that plan; or
- capacity-building training to regional education service centers to enable the centers to support a school's transition to a Texas community school or assist the school in sustaining the school's community school plan.

C.S.H.B. 1891 requires a school that transitions to a Texas community school to hold a community meeting at least twice each year to inform community stakeholders about the school's progress in implementing the community school plan and to seek community input regarding any improvements or changes that could be made to the plan. The bill also requires the school to report annually to the board of trustees of the school district in which the school is located regarding the school's progress in implementing the plan.

C.S.H.B. 1891 establishes that a school community partnership team formed by a school with substandard performance on student achievement indicators functions as the school's campus intervention team. The bill requires a low-performing school transitioning to a Texas community school to receive district-level support to assist the school in developing and implementing the community school plan and requires the support to continue for at least two school years after the school successfully meets the requisite standards on student achievement indicators.

C.S.H.B. 1891 authorizes a Texas community school or a school transitioning to a Texas community school to seek and accept gifts, grants, donations, and funds from federal and state agencies and private sources for purposes related to the school's function as a Texas community school. The bill requires a school that transitions to a Texas community school to be recognized by the state as a Texas community school and requires the Texas Education Agency to develop methods for recognizing a school as a Texas community school. The bill authorizes the commissioner of education to adopt rules as necessary to implement the bill's provisions providing for a school's transition to a Texas community school.

C.S.H.B. 1891 includes transition to a Texas community school among the actions that may be recommended by a campus intervention team for a low-performing campus. The bill authorizes the commissioner, as an alternative to ordering the reconstitution of a campus that is not fully implementing the campus intervention team's recommendations or targeted improvement plan or updated plan, to approve the campus's transition to a Texas community school on request from the principal of the campus.

C.S.H.B. 1891 authorizes a campus that has been identified as unacceptable for two consecutive school years to elect to transition to a Texas community school instead of reconstitution if the campus notifies the commissioner of the campus's election not later than two weeks after the date on which the commissioner orders reconstitution and if the campus satisfies the requirements of transitioning to a Texas community school not later than six months after the date on which the commissioner orders reconstitution. The bill prohibits the commissioner from ordering the closure of an unacceptable campus without giving the campus the opportunity to transition to a Texas community school and at least two years to implement the campus's community school plan.

C.S.H.B. 1891 repeals the following provisions of the Education Code, relating to community education programs in which the citizens in a school district, using the resources and facilities of the district, organize to support each other and to solve their mutual educational problems and meet their mutual lifelong needs:

- the heading to Subchapter H, Chapter 29
- Section 7.021(b)(8)
- Section 7.102(c)(17)
- Section 29.251
- Section 29.252
- Section 29.255
- Section 29.256
- Section 29.257

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2015.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1891 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Chapter 29, Education Code, is amended by adding Subchapter N to read as follows:

SUBCHAPTER N. COMMUNITY SCHOOLS

Sec. 29.551. DEFINITION.

Sec. 29.552. COMMUNITY SCHOOL. (a) A community school is a public elementary, middle, junior high, or high school that partners with one or more community-based organizations to coordinate academic, social, and health services to reduce barriers to learning and improve the quality of education for students in the community.

(b) A community school offers a variety of programs and services, which may include:

- (1) early childhood education;
- (2) after-school and summer school academic and enrichment programs;
- (3) college and career preparation;
- (4) service learning opportunities, such as internships and community service

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Chapter 29, Education Code, is amended by adding Subchapter N to read as follows:

SUBCHAPTER N. TEXAS COMMUNITY SCHOOLS

Sec. 29.551. DEFINITION.

Sec. 29.552. TEXAS COMMUNITY SCHOOL. (a) A Texas community school is a public elementary, middle, junior high, or high school that partners with one or more community-based organizations to coordinate academic, social, and health services to reduce barriers to learning and improve the quality of education for students in the community.

(b) A Texas community school offers a variety of programs and services, which may include:

- (1) early childhood education;
- (2) after-school and summer school academic and enrichment programs;
- (3) college and career preparation;
- (4) service learning opportunities, such as internships and community service

programs;

- (5) leadership and mentoring programs;
- (6) activities to encourage community and parent engagement in students' education;
- (7) health and social services for students and their families; and
- (8) parenting classes.

Sec. 29.553. TRANSITION TO COMMUNITY SCHOOL. (a) A public elementary, middle, junior high, or high school may transition to a community school if the school:

- (1) establishes a school community partnership team to function as the campus-level planning and decision-making committee required under Section 11.251, composed of the members required under Section 11.251 and additional community representatives;
- (2) conducts a comprehensive on-site needs assessment using the guidelines and procedures described by Section 39.106(b);
- (3) establishes a partnership with a lead community-based organization that has experience in developing and implementing a community school plan;

(4) develops a community school plan that satisfies the requirements for a campus improvement plan under Section 11.253; and

(5) gains approval for the community school plan from:

- (A) at least 75 percent of campus faculty and staff and 75 percent of parents of students enrolled at the school; and
- (B) the board of trustees of the school district in which the school is located.

(b) A school that transitions to a community school under Subsection (a) shall designate a school district employee or an employee of a community-based organization with experience in developing and implementing a community school plan as the community school coordinator for the school. The coordinator's duties include:

- (1) recruiting community partners and building community support for the school;
- (2) coordinating:
 - (A) the school community partnership team's planning and training activities;
 - (B) planning and evaluation efforts between

programs;

- (5) leadership and mentoring programs;
- (6) activities to encourage community and parent engagement in students' education;
- (7) health and social services for students and their families; and
- (8) parenting classes.

Sec. 29.553. TRANSITION TO TEXAS COMMUNITY SCHOOL. (a) A public elementary, middle, junior high, or high school may transition to a Texas community school if the school:

- (1) establishes a school community partnership team to function as the campus-level planning and decision-making committee required under Section 11.251, composed of the members required under Section 11.251 and additional community representatives;
- (2) conducts a comprehensive on-site needs assessment using the guidelines and procedures described by Section 39.106(b);
- (3) establishes a partnership with a lead community-based organization, such as Communities In Schools, a social service provider, or an education or youth services organization, that has experience in developing and implementing a community school plan;

(4) develops a community school plan that satisfies the requirements for a campus improvement plan under Section 11.253; and

(5) gains approval for the community school plan from:

- (A) at least 75 percent of campus faculty and staff and 75 percent of parents of students enrolled at the school; and
- (B) the board of trustees of the school district in which the school is located.

(b) A school that transitions to a Texas community school under Subsection (a) shall hire a new employee or designate a school district employee or an employee of a community-based organization with experience in developing and implementing a community school plan as the community school coordinator for the school. The coordinator's duties include:

- (1) recruiting community partners and building community support for the school;
- (2) coordinating:
 - (A) the school community partnership team's planning and training activities;
 - (B) planning and evaluation efforts between

the school and community partners;
(C) academic and student and family support programs; and
(D) after-school, summer, and enrichment programs for students;
(3) encouraging community and parent engagement in the school;
(4) seeking available resources for implementing community school programs and services;
(5) conducting an annual needs assessment of the school in coordination with the school community partnership team; and
(6) acting as a liaison between the school, other community schools, the school district, and community partners.

(c) In developing or implementing a community school plan, the school may seek assistance from other community schools or from regional education service centers.

Sec. 29.554. COMMUNITY AND DISTRICT OVERSIGHT. A school that transitions to a community school shall:

(1) hold a community meeting at least twice each year to:
(A) inform community stakeholders about the school's progress in implementing the community school plan; and
(B) seek community input regarding any improvements or changes that could be made to the plan; and
(2) report annually to the board of trustees of the school district in which the school is

the school and community partners;
(C) academic and student and family support programs; and
(D) after-school, summer, and enrichment programs for students;
(3) encouraging community and parent engagement in the school;
(4) seeking available resources for implementing community school programs and services;
(5) conducting an annual needs assessment of the school in coordination with the school community partnership team;
(6) acting as a liaison between the school, other community schools, the school district, and community partners; and
(7) developing a plan for sustaining the community school plan.

(c) In developing or implementing a community school plan, the school may seek assistance from other community schools, regional education service centers, or technical assistance providers.

(d) For purposes of Subsection (c), a technical assistance provider is a public or private entity that has experience in developing and implementing a community school plan and that provides:

(1) professional development, training, technical assistance, coaching, or quality assurance activities to assist schools in transitioning to a Texas community school, sustaining the community school plan, or maximizing the effectiveness of that plan;
or
(2) capacity-building training to regional education service centers to enable the centers to support a school's transition to a Texas community school or assist the school in sustaining the school's community school plan.

Sec. 29.554. COMMUNITY AND DISTRICT OVERSIGHT. A school that transitions to a Texas community school shall:

(1) hold a community meeting at least twice each year to:
(A) inform community stakeholders about the school's progress in implementing the community school plan; and
(B) seek community input regarding any improvements or changes that could be made to the plan; and
(2) report annually to the board of trustees of the school district in which the school is

located regarding the school's progress in implementing the plan.

Sec. 29.555. LOW-PERFORMING SCHOOLS. (a) A school community partnership team formed by a school with performance below any standard under Section 39.054(e) functions as the campus intervention team for purposes of Section 39.106.

(b) A low-performing school transitioning to a community school shall receive district-level support to assist the school in developing and implementing the community school plan. The support must continue for at least two school years after the school successfully meets the standards under Section 39.054(e).

Sec. 29.556. FUNDING. A community school or a school transitioning to a community school may seek and accept gifts, grants, donations, and funds from federal and state agencies and private sources for purposes related to the school's function as a community school.

Sec. 29.557. RECOGNITION AS COMMUNITY SCHOOL. (a) A school that transitions to a community school shall be recognized by the state as a community school.

(b) The agency shall develop methods for recognizing a school as a community school.

Sec. 29.558. RULES.

SECTION 2. Sections 39.106(c) and (f), Education Code, are amended to read as follows:

(c) On completing the on-site needs assessment under this section, the campus intervention team shall, with the involvement and advice of the school community partnership team, if applicable, recommend actions relating to any area of insufficient performance, including:

- (1) reallocation of resources;
- (2) technical assistance;
- (3) changes in school procedures or operations;
- (4) staff development for instructional and administrative staff;
- (5) intervention for individual administrators or teachers;
- (6) waivers from state statutes or rules;
- (7) teacher recruitment or retention

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located regarding the school's progress in implementing the plan.

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- (6) waivers from state statutes or rules;
- (7) teacher recruitment or retention

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strategies and incentives provided by the district to attract and retain teachers with the characteristics included in Subsection (b)(1); ~~or~~

(8) transition to a community school under Subchapter N, Chapter 29; or

(9) other actions the campus intervention team considers appropriate.

(f) Notwithstanding any other provision of this subchapter, if the commissioner determines that a campus for which an intervention is ordered under Subsection (a) is not fully implementing the campus intervention team's recommendations or targeted improvement plan or updated plan, the commissioner may:

(1) order the reconstitution of the campus as provided by Section 39.107; or

(2) approve the campus's transition to a community school under Subchapter N, Chapter 29, on request from the principal of the campus.

SECTION 3. Section 39.107, Education Code, is amended by amending Subsection (a) and adding Subsections (a-2) and (s) to read as follows:

(a) Subject to Subsection (a-2), after ~~[After]~~ a campus has been identified as unacceptable for two consecutive school years, the commissioner shall order the reconstitution of the campus.

(a-2) A campus may elect to transition to a community school under Subchapter N, Chapter 29, instead of reconstitution under this section if the campus:

(1) notifies the commissioner of the campus's election not later than two weeks after the date on which the commissioner orders reconstitution under Subsection (a); and

(2) satisfies the requirements of transitioning to a community school under Subchapter N, Chapter 29, not later than six months after the date on which the commissioner orders reconstitution under Subsection (a).

(s) The commissioner may not order the closure of a campus under this section without giving the campus the opportunity to transition to a community school under Subchapter N, Chapter 29, and at least two years to implement the campus's community school plan.

strategies and incentives provided by the district to attract and retain teachers with the characteristics included in Subsection (b)(1); ~~or~~

(8) transition to a **Texas** community school under Subchapter N, Chapter 29; or

(9) other actions the campus intervention team considers appropriate.

(f) Notwithstanding any other provision of this subchapter, if the commissioner determines that a campus for which an intervention is ordered under Subsection (a) is not fully implementing the campus intervention team's recommendations or targeted improvement plan or updated plan, the commissioner may:

(1) order the reconstitution of the campus as provided by Section 39.107; or

(2) approve the campus's transition to a **Texas** community school under Subchapter N, Chapter 29, on request from the principal of the campus.

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(a) Subject to Subsection (a-2), after ~~[After]~~ a campus has been identified as unacceptable for two consecutive school years, the commissioner shall order the reconstitution of the campus.

(a-2) A campus may elect to transition to a **Texas** community school under Subchapter N, Chapter 29, instead of reconstitution under this section if the campus:

(1) notifies the commissioner of the campus's election not later than two weeks after the date on which the commissioner orders reconstitution under Subsection (a); and

(2) satisfies the requirements of transitioning to a **Texas** community school under Subchapter N, Chapter 29, not later than six months after the date on which the commissioner orders reconstitution under Subsection (a).

(s) The commissioner may not order the closure of a campus under this section without giving the campus the opportunity to transition to a **Texas** community school under Subchapter N, Chapter 29, and at least two years to implement the campus's community school plan.

SECTION 4. Section 29.259, Education Code, is transferred to Subchapter Z, Chapter 29, Education Code, and redesignated as Section 29.923, Education Code, to read as follows:

Sec. 29.923 [~~29.259~~]. ADULT HIGH SCHOOL DIPLOMA AND INDUSTRY CERTIFICATION CHARTER SCHOOL PILOT PROGRAM. (a) In this section, "adult education" means services and instruction provided below the college level for adults by a nonprofit entity described by Subsection (e).

(b) The commissioner shall establish an adult high school diploma and industry certification charter school pilot program as provided by this section as a strategy for meeting industry needs for a sufficiently trained workforce within the state.

(c) The agency shall adopt and administer a standardized secondary exit-level assessment instrument appropriate for assessing adult education program participants who successfully complete high school curriculum requirements under a program provided under this section. The commissioner shall determine the level of performance considered to be satisfactory on the secondary exit-level assessment instrument for receipt of a high school diploma by an adult education program participant in a program provided under this section.

(d) Notwithstanding any other law and in addition to the number of charters allowed under Subchapter D, Chapter 12, a charter under the pilot program may, on the basis of an application submitted, be granted to a single nonprofit entity described by Subsection (e) to provide an adult education program for not more than 150 individuals described by Subsection (g) to successfully complete:

(1) a high school program that can lead to a diploma; and

(2) career and technology education courses that can lead to industry certification.

(e) A nonprofit entity may be granted a charter under this section only if the entity:

(1) has a successful history of providing education services, including industry certifications and job placement services, to adults 18 years of age and older whose educational and training opportunities have been limited by educational disadvantages,

SECTION 4. Same as introduced version.

disabilities, homelessness, criminal history, or similar circumstances; and

(2) agrees to commit at least \$1 million to the adult education program offered.

(f) A nonprofit entity granted a charter under this section may partner with a public junior college to provide career and technology courses that lead to industry certification.

(g) A person who is at least 19 years of age and not more than 50 years of age is eligible to enroll in the adult education program under this section if the person has not earned a high school equivalency certificate and:

(1) has failed to complete the curriculum requirements for high school graduation; or

(2) has failed to perform satisfactorily on an assessment instrument required for high school graduation.

(h) The nonprofit entity must include in its charter application the information required by Subsection (i).

(i) A charter granted under this section must:

(1) include a description of the adult education program to be offered under this section; and

(2) establish specific, objective standards for receiving a high school diploma, including satisfactory performance on the standardized secondary exit-level assessment instrument described by Subsection (c).

(j) Funding for an adult education program under this section is provided based on the following:

(1) for participants who are 26 years of age and older, an amount per participant from available general revenue funds appropriated for the pilot program equal to the statewide average amount of state funding per student in weighted average daily attendance that would be allocated under the Foundation School Program to an open-enrollment charter school under Section 12.106 were the student under 26 years of age; and

(2) for participants who are at least 19 years of age and under 26 years of age, an amount per participant through the Foundation School Program equal to the amount of state funding per student in weighted average daily attendance that would be allocated under the Foundation School Program for the student's attendance at an open-

enrollment charter school in accordance with Section 12.106.

(k) Sections 12.107 and 12.128 apply as though funds under this section were funds under Subchapter D, Chapter 12.

(l) Not later than December 1 of each even-numbered year, beginning December 1, 2016, the agency shall prepare and deliver to the governor, lieutenant governor, speaker of the house of representatives, and presiding officer of each standing legislative committee with primary jurisdiction over public education or economic development a report that:

(1) evaluates any adult education program operated under a charter granted under this section; and

(2) makes recommendations regarding the abolition, continuation, or expansion of the pilot program.

(m) The commissioner shall adopt rules necessary to administer the pilot program under this section. In adopting rules, the commissioner may modify charter school requirements only to the extent necessary for the administration of a charter school under this section that provides for adult education.

SECTION 5. Section 42.003(a), Education Code, is amended.

SECTION 5. Same as introduced version.

SECTION 6. (a) The heading to Subchapter H, Chapter 29, Education Code, is repealed.

SECTION 6. Same as introduced version.

(b) Sections 7.021(b)(8), 7.102(c)(17), 29.251, 29.252, 29.255, 29.256, and 29.257, Education Code, are repealed.

SECTION 7. 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, 2015.

SECTION 7. Same as introduced version.