

BILL ANALYSIS

Senate Research Center

H.B. 4205
By: Craddick (Perry)
Education
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 4205 amends the Education Code to authorize a closed public school district campus to be repurposed to serve students at that campus location if the commissioner of education approves a new campus identification number for the repurposed campus and finds that the repurposed campus offers a distinctly different academic program and is operated under a contract, approved by the district's board of trustees, with a nonprofit organization exempt from federal taxation under Section 501(c)(3) of the federal Internal Revenue Code of 1986 that:

- has a governing board that is independent of the district;
- has a successful history of operating public school district campuses or open-enrollment charter schools, a majority of which have been assigned an overall performance rating of B or higher for the preceding school year, that cumulatively serve 10,000 or more students; and
- has been assigned an overall performance rating of B or higher for the preceding school year.

Current law lists contents of what must be included in the Accelerated Campus Excellence Turnaround Plan (ACE). H.B. 4205 outlines how the plan will provide strategic staffing of effective teachers and principals to the identified campus to be reconstituted. Instructional excellence will be focused on data driven instruction and early interventions. It also takes into account social and emotional learning support for students and training for educators, as well as strong partnerships with parents and community organizations.

H.B. 4205 amends current law relating to accountability intervention provisions applicable to school district campuses, including the conditions under which a closed campus may be repurposed to serve students at that campus location and the creation of accelerated campus excellence turnaround plans.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 39A.105, Education Code, as follows:

Sec. 39A.105. CONTENTS OF CAMPUS TURNAROUND PLAN. (a) Creates this subsection from existing text and makes no further changes to this subsection.

(b) Authorizes a campus to submit an accelerated campus excellence turnaround plan as provided by this subsection. Requires the plan to provide:

(1) the assignment of a principal to the campus who has demonstrated a history of improvement in student academic 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 is required to 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;

(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 are authorized to 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) Authorizes the commissioner of education (commissioner) to provide guidance to districts as necessary to implement an accelerated campus excellence turnaround plan under Subsection (b).

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

(a-3) Authorizes the commissioner, notwithstanding Subsection (a) (relating to authorizing the commissioner to approve a campus turnaround plan only if the

commissioner determines that the campus will satisfy all student performance standards required not later than the second year the campus receives a performance rating following the implementation of the campus turnaround plan), to 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. Amends Section 39A.113, Education Code, by amending Subsections (a) and (b) and adding Subsection (a-1), as follows:

(a) Makes nonsubstantive changes. Authorizes that campus, if the commissioner orders the closure of a campus under this subchapter (Campus Turnaround Plan), to be repurposed to serve students at that campus location only if the commissioner:

(1) finds that the repurposed campus:

(A) redesignates Paragraph (B) as this paragraph and makes no further changes to this paragraph; or

(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 (Campus Intervention Team Recommendations) 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) makes no changes to this subdivision.

(a-1) Requires a contract described by Subsection (a)(1)(B) to 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) Prohibits a majority of students assigned to a campus that has been closed and repurposed under Subsection (a)(1)(A) from having attended that campus in the previous school year.

SECTION 4. (a) Requires the commissioner to 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. Authorizes the commissioner to adjust timelines established under Chapter 39A (Accountability Interventions and Sanctions), Education Code, for the campus selected by the commissioner under this section for purposes of developing and implementing the accelerated campus excellence turnaround plan. Provides that a decision by the commissioner under this section is final and prohibited from being appealed.

(b) Provides that, 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. Effective date: upon passage or September 1, 2019.