

## **BILL ANALYSIS**

Senate Research Center  
81R11665 CAS-F

S.B. 2087  
By: Davis, Wendy  
Education  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Under current law, campuses that are determined to be academically unacceptable under the state accountability standards are assigned a campus intervention team (CIT). The CIT then conducts a comprehensive on-site evaluation and needs-assessment, assists in the development of a school improvement plan (SIP) and monitors the implementation of the SIP. Should the commissioner of education (commissioner) determine that a campus is not fully implementing the recommendations of the CIP or the SIP, the commissioner has the option of imposing sanctions, which may include reconstituting the campus. The concern is that the current statutory framework provides neither the resources nor an adequate timeline to promote a successful intervention.

As proposed, S.B. 2087 amends current law regarding the sanctions available for certain academically unacceptable campuses. The bill prohibits the imposition of additional sanctions before the CIT completes the required comprehensive on-site evaluation and needs assessment; the CIT has made recommendations for an SIP; the campus has received any necessary financial or other assistance; and the campus has two complete school years during which to implement the SIP. The bill authorizes the commissioner to impose appropriate sanctions on a campus which has the resources and capabilities to turn around and fails to do so. Additionally, the bill precludes a campus from being subject to a name change when being reconstituted, redesigned, or undergoing the imposition of any other sanction.

### **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 39.1323, Education Code, by adding Subsection (g), as follows:

(g) Prohibits the commissioner of education (commissioner), notwithstanding any other provision of this subchapter, from imposing on a campus for which a campus intervention team has been appointed under Section 39.1322(b) (relating to the commissioner appointing a campus intervention team) any additional sanctions until the campus intervention team has completed the comprehensive on-site evaluation required under Subsection (a)(1) (relating to a comprehensive on-site evaluation of the campus to determine low performance) and the comprehensive on-site needs assessment under Subsection (b) (relating to a campus intervention team conducting a comprehensive on-site needs assessment); the campus intervention team has made recommendations for a school improvement plan as provided by Subsection (a)(3) (relating to assistance in the development of a school improvement plan); the campus has received any financial or other assistance determined necessary under the evaluation process to implement the school improvement plan; and the campus has two complete school years during which to implement the school improvement plan.

SECTION 2. Amends Sections 39.1324(a)-(d), Education Code, as follows:

(a) Authorizes, rather than requires, the commissioner, if a campus has been identified as academically unacceptable for two consecutive school years, including the current school year, and has been capable as provided by Section 39.1323(g) of implementing a school

improvement plan for two complete school years after the appointment of a campus intervention team under Section 39.1322(b), to order the reconstruction of the campus and assign a campus intervention team under this section. Requires a campus intervention team in reconstituting the campus to assist the campus intervention team in developing a revised school improvement plan.

(b) Prohibits a principal who has been employed by the campus in that capacity during the full two-year period during which the campus has been identified as academically unacceptable, rather than described in Subsection (a), from being retained at that campus.

(c) Requires a campus, subject to Subsection (a), to implement the revised school improvement plan, rather than the school improvement plan, as approved by the commissioner. Makes a nonsubstantive change.

(d) Provides that, notwithstanding any other provision of this subchapter, after the commissioner has ordered reconstitution of a campus under this section and the campus has been capable of implementing a revised school improvement plan as approved by the commissioner for two complete school years, if the commissioner determines that the campus, rather than a campus subject to Subsection (a), is not fully implementing the revised school improvement plan or the campus's students fail to demonstrate improved performance in the areas targeted by the plan, the commissioner is authorized to pursue alternative management of the campus under Section 39.1327 (Management of Certain Academically Unacceptable Campuses) and is prohibited, if the campus's students demonstrate improved performance in the areas targeted by the revised school improvement plan, from imposing any additional sanction on the campus, rather than is authorized to order closure of the campus.

SECTION 3. Amends Subchapter G, Chapter 39, Education Code, by adding Section 39.1325, as follows:

Sec. 39.1325. **CAMPUS NAME CHANGE PROHIBITED.** Prohibits, notwithstanding any other provision of this subchapter, in reconstituting a campus, redesigning a campus, or imposing any other sanction on a campus under this subchapter, the name of the campus from being changed.

SECTION 4. Amends Section 39.1327(a), Education Code, to authorize a campus to be subject to this section if the campus has been identified as academically unacceptable under Section 39.132 (Sanctions for Academically Unacceptable Campuses) and the commissioner orders alternative management under Section 39.1324(d) (relating to the commissioner's authorization to pursue certain actions regarding a campus's failure to fully implement a school improvement plan), rather than Section 39.1324 (e) (relating to the requirement that the commissioner review the progress of a reconstituted campus if the campus is considered academically unacceptable for the subsequent school year after the reconstitution) or (f) (relating to the commissioner ordering the closure of a campus or pursuing alternative management of a campus considered academically unacceptable for two consecutive years after reconstitution).

SECTION 5. Repealers: Sections 39.1324(e) and (f), Education Code.

SECTION 6. Provides that this Act applies beginning with the 2009-2010 school year.

SECTION 7. Effective date: upon passage or September 1, 2009.