

## **BILL ANALYSIS**

Senate Research Center  
82R22076 CAS-D

C.S.S.B. 738  
By: Shapiro  
Education  
4/20/2011  
Committee Report (Substituted)

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

C.S.S.B. 738 amends current law relating to a parental role in determining sanctions applied to a public school campus under certain circumstances.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the commissioner of education in SECTION 1 (Section 39.107, Education Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 39.107, Education Code, by amending Subsection (e) and adding Subsections (e-2) and (e-3), as follows:

(e) Requires the commissioner of education (commissioner), subject to Subsection (e-1) (authorizing the commissioner to waive the requirement to enter an order) or (e-2), if a campus is considered to have an unacceptable performance rating for three consecutive school years after the campus is reconstituted under Subsection (a), to order repurposing of the campus under this section, alternative management of the campus under this section, or closure of the campus.

(e-2) Defines, for the purpose of this section, "parent." Requires the commissioner to order the specific action requested if the commissioner is presented, in the time and manner specified by commissioner rule, a written petition signed by the parents of a majority of the students enrolled at a campus to which Subsection (e) applies, specifying the action described by Subsection (e)(1), (2), or (3) that the parents request the commissioner to order, except as otherwise authorized by this subsection. Authorizes the commissioner to order the action requested by the board of trustees if the board of trustees of the school district in which the campus is located presents to the commissioner, in the time and manner specified by commissioner rule, a written request that the commissioner order specific action authorized under Subsection (e) other than the specific action requested in the parents' petition and a written explanation of the basis for the board's request.

(e-3) Provides that for purposes of Subsection (e-2), the signature of only one parent of a student is required.

SECTION 2. Provides that this Act applies beginning with the 2011-2012 school year.

SECTION 3. Effective date: upon passage or September 1, 2011.