

AN ACT

relating to a parental role in determining sanctions applied to a public school campus under certain circumstances.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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

(e) If a campus is considered to have an unacceptable performance rating for three consecutive school years after the campus is reconstituted under Subsection (a), the commissioner, subject to Subsection (e-1) or (e-2), shall order:

(1) repurposing of the campus under this section;

(2) alternative management of the campus under this section; or

(3) closure of the campus.

(e-2) For purposes of this subsection, "parent" has the meaning assigned by Section 12.051. 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, the commissioner shall, except as otherwise authorized by this subsection, order the specific action requested. If the board of trustees of the school

1 district in which the campus is located presents to the  
2 commissioner, in the time and manner specified by commissioner  
3 rule, a written request that the commissioner order specific action  
4 authorized under Subsection (e) other than the specific action  
5 requested in the parents' petition and a written explanation of the  
6 basis for the board's request, the commissioner may order the  
7 action requested by the board of trustees.

8 (e-3) For purposes of Subsection (e-2), the signature of  
9 only one parent of a student is required.

10 SECTION 2. This Act applies beginning with the 2011-2012  
11 school year.

12 SECTION 3. This Act takes effect immediately if it receives  
13 a vote of two-thirds of all the members elected to each house, as  
14 provided by Section 39, Article III, Texas Constitution. If this  
15 Act does not receive the vote necessary for immediate effect, this  
16 Act takes effect September 1, 2011.

S.B. No. 738

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 738 passed the Senate on April 28, 2011, by the following vote: Yeas 30, Nays 1.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 738 passed the House on May 25, 2011, by the following vote: Yeas 133, Nays 11, three present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor