

The purpose of this document is to provide guidance related to the written Parent Petition for Action.

### **Statutory and Administrative Rule Authority**

Texas Education Code (TEC) §39A.112 and 19 Texas Administrative Code (TAC) §97.1065 outline the requirements related to a written Parent Petition for Action.

### **Purpose of the Petition**

A written Parent Petition for Action may be submitted for any campus that is subject to an order of closure or appointment of a board of managers due to receiving unacceptable performance ratings for three consecutive school years after the campus is ordered to submit a turnaround plan under TEC §39A.101.

If the Commissioner of Education is presented, in the time and manner specified by 19 TAC §97.1065, with a valid petition signed by the parents of a majority of the students enrolled at the campus, specifying that the commissioner order either campus closure or the appointment of a board of managers, the commissioner shall order the action requested in the petition.

If the board of trustees presents to the commissioner, in the time and manner specified by 19 TAC §97.1065, a written request that the commissioner order an action other than that specified in the parent petition and a written explanation of the basis for the board's request, the commissioner may order the action requested by the board.

### **Requirements of the Petition**

- The petition must include all information required by the Texas Education Agency as reflected in the Agency's model forms and related procedures which can be viewed at <https://tea.texas.gov/interiorpage.aspx?id=51539624465>. The petition must be submitted to the district superintendent no later than November 1, 2019.<sup>1</sup>
- The petition must clearly state the sanction action being requested by the parents (campus closure or appointment of a board of managers).
- The parent(s) of more than 50% of the students enrolled at the campus must provide a handwritten or typed name and an original signature on the petition.
- For the purposes of the petition, a parent means the parent who is indicated on the student registration form at the campus.
- The parent who signed the petition must be a parent of a student who was enrolled and in membership at the campus on October 25, 2019.
- Only one parent signature per enrolled student may be counted by the district in its calculation assuring validity of the petition.
- All signatures must be provided on or after the date on which a preliminary rating indicating four or more consecutive years of unacceptable performance at the campus was issued.
- To preserve the confidentiality of petition signers and students, it is recommended that each signature and accompanying information be provided on a separate sheet of paper.

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<sup>1</sup> 19 TAC §97.1065(d)(1) provides that the petition must be finalized and submitted to the superintendent no later than October 15, 2019, for purposes of validation. However, because 19 TAC §97.1065(d)(2)(C), requires that the petition contain the signature of a parent indicated on the registration form of a student enrolled at the campus on a TEA-determined enrollment snapshot date, which is October 25, 2019, the deadline for submitting the parent petition to the superintendent has been extended to November 1, 2019.

### **Important Dates**

A written petition must be finalized and submitted to the district superintendent no later than **November 1, 2019**, for purposes of validation.

If the petition is certified by the superintendent as a valid petition, the superintendent must submit the petition to the commissioner no later than **December 2, 2019**, along with a certification of validity signed by the superintendent. The superintendent attestation statement can be downloaded from the Parent Petition for Action web page at <https://tea.texas.gov/interiorpage.aspx?id=51539624465>.

If the board of trustees requests the commissioner consider a specific action other than the action requested in the parent petition, the board must submit a written request to the commissioner and include a written explanation for the basis of the board's request no later than **December 16, 2019**.

For additional important dates, you may review 19 TAC §97.1065 in its entirety at <http://ritter.tea.state.tx.us/rules/tac/chapter097/ch097ee.html>.

### **Petition Template**

A template that may be used for a written Parent Petition for Action may be accessed at the Parent Petition for Action web page at <https://tea.texas.gov/interiorpage.aspx?id=51539624465>.

### **Questions**

Questions related to the parent petition process may be addressed to the Division of School Improvement at (512) 463-5226 or [SIdivision@tea.texas.gov](mailto:SIdivision@tea.texas.gov).