

By: Rodriguez

H.B. No. 4003

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to public comment on an application for or a revision of a  
3 charter for an open-enrollment charter school.

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

5 SECTION 1. Section 12.110, Education Code, is amended by  
6 amending Subsection (d) and adding Subsection (d-1) to read as  
7 follows:

8 (d) The commissioner shall approve or deny an application  
9 based on:

10 (1) documented evidence collected through the  
11 application review process;

12 (2) merit; ~~and~~

13 (3) other criteria as adopted by the commissioner,  
14 which must include:

15 (A) criteria relating to the capability of the  
16 applicant to carry out the responsibilities provided by the charter  
17 and the likelihood that the applicant will operate a school of high  
18 quality;

19 (B) criteria relating to improving student  
20 performance and encouraging innovative programs; and

21 (C) a statement from any school district whose  
22 enrollment is likely to be affected by the open-enrollment charter  
23 school, including information relating to any financial difficulty  
24 that a loss in enrollment may have on the district; and

1           (4) consideration of public comments on the  
2 application received under Subsection (d-1).

3           (d-1) Before approving or denying an application received  
4 under Subsection (a), the commissioner shall provide not less than  
5 60 days for public comment on the application.

6           SECTION 2. Section 12.114, Education Code, is amended by  
7 adding Subsection (b-1) and amending Subsection (c) to read as  
8 follows:

9           (b-1) The commissioner shall provide not less than 60 days  
10 for public comment on a request for approval for an expansion  
11 amendment submitted under this section.

12           (c) ~~The [Not later than the 60th day after the date that a~~  
13 ~~charter holder submits to the]~~ commissioner shall provide to the  
14 charter holder written notice of approval or disapproval of a  
15 completed request for [approval for] an expansion amendment, as  
16 defined by commissioner rule, including a new school amendment, as  
17 soon as practicable and not later than the 10th business day after  
18 the date the period for public comment on the request provided under  
19 Subsection (b-1) expires ~~[the commissioner shall provide to the~~  
20 ~~charter holder written notice of approval or disapproval of the~~  
21 ~~amendment].~~

22           SECTION 3. This Act takes effect immediately if it receives  
23 a vote of two-thirds of all the members elected to each house, as  
24 provided by Section 39, Article III, Texas Constitution. If this  
25 Act does not receive the vote necessary for immediate effect, this  
26 Act takes effect September 1, 2021.