

By: Troxclair

H.B. No. 3877

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of teacher-sponsored academies.

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

SECTION 1. Chapter 12, Education Code, is amended by adding Subchapter F to read as follows:

SUBCHAPTER F. TEACHER-SPONSORED ACADEMY PROGRAM

Sec. 12.201. PURPOSES. Teacher-sponsored academies are established under this subchapter to provide highly qualified education professionals an opportunity to:

(1) operate an educational institution and function independently; and

(2) innovate and create educational programs tailored specifically to the students enrolled in the academy.

Sec. 12.202. TEACHER-SPONSORED ACADEMY PROGRAM; RULES. (a) The commissioner shall establish a teacher-sponsored academy program under which eligible education professionals are authorized to create and operate a teacher-sponsored academy in accordance with this subchapter.

(b) The commissioner shall adopt rules to administer this subchapter. The rules must include provisions relating to prevention of fraud and abuse in financial transactions under the teacher-sponsored academy program.

Sec. 12.203. ELIGIBLE EDUCATION PROFESSIONALS. (a) To be eligible to operate a teacher-sponsored academy under this

1 subchapter, an education professional must:

2 (1) have at least three years of classroom teaching
3 experience;

4 (2) have been rated as proficient or higher for at
5 least three years under the evaluation system used to evaluate the
6 professional; or

7 (3) have served as the principal of a school for at
8 least three years.

9 (b) A teacher-sponsored academy must be operated by at least
10 one eligible education professional and be formed as a corporation
11 governed under Title 2, Business Organizations Code.

12 Sec. 12.204. APPLICATION OF LAWS. A teacher-sponsored
13 academy is subject only to federal and state laws applicable to
14 schools accredited by an organization that is monitored and
15 approved by the Texas Private School Accreditation Commission. A
16 teacher-sponsored academy is not subject to state law applicable to
17 charter schools authorized by law other than this subchapter.

18 Sec. 12.205. INITIAL FUNDING. An eligible education
19 professional under Section 12.203 is responsible for securing
20 initial capital from sources other than public funding for the
21 establishment of a teacher-sponsored academy. The commissioner may
22 not provide any public or state funding to an eligible education
23 professional operating a teacher-sponsored academy during the
24 first 12 months of operation of the academy.

25 Sec. 12.206. GRANTING OF CHARTER. The commissioner shall
26 grant a charter to operate a teacher-sponsored academy to an
27 eligible education professional under Section 12.203 if the

1 professional provides to the commissioner:

2 (1) a viable business plan;

3 (2) proof of financial ability to fund 12 months of the
4 academy's anticipated expenses, presented in the form of a bank
5 letter of credit or other acceptable financial guarantee; and

6 (3) demonstration of parental and community interest
7 in the establishment of a teacher-sponsored academy.

8 Sec. 12.207. PUBLIC FUNDING. (a) Funding under this
9 section may only be provided for a school year after the first full
10 school year in which a teacher-sponsored academy is in operation.

11 (b) For each school year after the first school year in
12 which a teacher-sponsored academy is in operation, the commissioner
13 shall provide to a student who will attend a teacher-sponsored
14 academy or the student's parent an amount equal to 75 percent of the
15 average state funding per student received by open-enrollment
16 charter schools under Subchapter D during the preceding school
17 year. The student or the student's parent may assign the funding
18 received under this section to the teacher-sponsored academy the
19 student attends. The commissioner may adjust the amount provided
20 in accordance with the student's period of actual enrollment in the
21 academy during the school year.

22 (c) The commissioner shall provide the funding under
23 Subsection (b) to the student, to the student's parent, or, if the
24 funding has been assigned to the teacher-sponsored academy, to the
25 teacher-sponsored academy, not later than the 90th day after the
26 date the commissioner receives enrollment data reports from the
27 teacher-sponsored academy at the end of each school year for which

1 the academy is eligible for funding under this section.

2 (d) Federal funds and money from the available school fund
3 may not be used to make payments under this subchapter.

4 Sec. 12.208. REPORTS. (a) Not later than October 1 of each
5 year, the commissioner shall determine the estimated number of
6 students who are likely to attend each teacher-sponsored academy
7 authorized under this subchapter. The report must indicate the
8 school district a student attending a teacher-sponsored academy is
9 eligible to attend.

10 (b) Not later than March 1 of each year, the commissioner
11 shall provide actual numbers of students who attend each
12 teacher-sponsored academy.

13 (c) The agency shall modify estimates of funding under
14 Section 48.266 using the information reported under this section.

15 SECTION 2. As soon as possible but not later than the 45th
16 day after the effective date of this Act, the commissioner of
17 education shall establish the teacher-sponsored academy program as
18 required under Subchapter F, Chapter 12, Education Code, as added
19 by this Act.

20 SECTION 3. This Act takes effect immediately if it receives
21 a vote of two-thirds of all the members elected to each house, as
22 provided by Section 39, Article III, Texas Constitution. If this
23 Act does not receive the vote necessary for immediate effect, this
24 Act takes effect September 1, 2023.