

By: Madden

H.B. No. 2527

Substitute the following for H.B. No. 2527:

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C.S.H.B. No. 2527

A BILL TO BE ENTITLED

AN ACT

relating to a charter for a campus or program in a school district.

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

SECTION 1. Subchapter C, Chapter 12, Education Code, is amended by adding Section 12.0521 to read as follows:

Sec. 12.0521. ALTERNATIVE AUTHORIZATION. (a)

Notwithstanding Section 12.052, in accordance with this subchapter and in the manner provided by this section, the board of trustees of a school district or the governing body of a home-rule school district may grant a charter for a program that is operated:

(1) by an entity that has entered into a contract with the district under Section 11.157 to provide educational services to the district through the program; and

(2) at a facility located in the boundaries of the district.

(b) Not later than the 30th day after the program's first day of instruction for the school year, the board of trustees must receive written confirmation signed by:

(1) at least one parent of each student who has enrolled in the program; and

(2) each teacher who has been employed to teach in the program.

(c) The written confirmation required under Subsection (b) is for purposes of measuring continuing interest by parents whose

1 children have enrolled in and by teachers employed by a program.
2 The fact that a parent or a teacher does not sign the written
3 confirmation does not preclude the parent's child or the teacher
4 from participating or continuing to participate in a program
5 authorized under this section.

6 (d) A school district may not assign to a program under this
7 section a teacher who has signed a written statement that the
8 teacher does not agree to that assignment.

9 SECTION 2. Sections 12.057, 12.058, and 12.062, Education
10 Code, are amended to read as follows:

11 Sec. 12.057. STATUS. (a) With respect to the operation of
12 a campus or program granted a charter under this subchapter, the [A]
13 governing body of the campus or program provided for under the
14 charter is considered a governmental body for purposes of Chapters
15 551 and 552, Government Code.

16 (b) An employee of a campus or program granted a charter
17 under Section 12.052 or 12.053 [this subchapter] who qualifies for
18 membership in the Teacher Retirement System of Texas shall be
19 covered under the system in the same manner and to the same extent
20 as a qualified employee employed on a regularly operating campus or
21 in a regularly operating program is covered.

22 (c) A [The] campus or program granted a charter under
23 Section 12.052 or 12.053 is immune from liability to the same extent
24 as a school district, and its employees and volunteers are immune
25 from liability to the same extent as school district employees and
26 volunteers.

27 Sec. 12.058. CHARTER POLICY. [~~a~~] Each school district

1 shall adopt a campus charter and [~~campus~~] program charter policy.

2 The policy must specify:

3 (1) the process to be followed for approval of a campus
4 charter or a [~~campus~~] program charter;

5 (2) the statutory requirements with which a campus
6 charter or [~~campus~~] program charter must comply; and

7 (3) the items that must be included in a charter
8 application.

9 ~~[(b) Each school district shall adopt a campus charter and
10 campus program charter policy as required by this section not later
11 than January 1, 1998.]~~

12 Sec. 12.062. REVISION. (a) A charter granted under Section
13 12.052 or 12.053 [~~this subchapter~~] may be revised:

14 (1) with the approval of the board of trustees that
15 granted the charter; and

16 (2) on a petition signed by a majority of the parents
17 and a majority of the classroom teachers at the campus or in the
18 program, as applicable.

19 (b) A charter granted under Section 12.0521 may be revised
20 with the approval of the board of trustees that granted the charter
21 at the request of at least two parents and at least two teachers in
22 the program.

23 SECTION 3. This Act takes effect September 1, 2003.