

By: Madden

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. Sections 12.052, 12.057, 12.058, and 12.062, Education Code, are amended to read as follows:

Sec. 12.052. AUTHORIZATION. (a) In accordance with this subchapter, the board of trustees of a school district or the governing body of a home-rule school district may grant a charter ~~[to parents and teachers]~~ for:

(1) a campus;

(2) ~~[or]~~ a program on one or more campuses in the district; or

(3) a program that is operated:

(A) 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

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

(b) Not later than the 30th day after the school district's first day of instruction for the school year, the board of trustees must receive ~~[a campus if the board is presented with]~~ a petition signed by:

(1) at least one parent of each student who has enrolled in the ~~[parents of a majority of the students at that~~

1 ~~school]~~ campus or program; and

2 (2) each teacher who has been employed to teach [~~a~~  
3 ~~majority of the classroom teachers]~~ at the [~~that school]~~ campus or  
4 in the program.

5 [~~(b) For purposes of Subsection (a)(1), the signature of~~  
6 ~~only one parent of a student is required.]~~

7 (c) The petition required under Subsection (b) is for  
8 purposes of measuring continuing interest by parents whose children  
9 have enrolled in and by teachers employed by a campus or program.  
10 The fact that a parent or a teacher does not sign the petition does  
11 not preclude the parent's child or the teacher from continuing to  
12 participate at a campus or in a program under this subchapter [~~board~~  
13 ~~of trustees may not arbitrarily deny a charter under this section].~~

14 Sec. 12.057. STATUS. (a) With respect to the operation of  
15 a campus or program granted a charter under this subchapter, the [~~A~~]  
16 governing body of the campus or program provided for under the  
17 charter is considered a governmental body for purposes of Chapters  
18 551 and 552, Government Code.

19 (b) An employee of a campus or program granted a charter  
20 under Section 12.052(a)(1) or (2) [~~this subchapter]~~ who qualifies  
21 for membership in the Teacher Retirement System of Texas shall be  
22 covered under the system in the same manner and to the same extent  
23 as a qualified employee employed on a regularly operating campus or  
24 in a regularly operating program is covered.

25 (c) A [~~The~~] campus or program granted a charter under  
26 Section 12.052(a)(1) or (2) is immune from liability to the same  
27 extent as a school district, and its employees and volunteers are

1 immune from liability to the same extent as school district  
2 employees and volunteers.

3 Sec. 12.058. CHARTER POLICY. [~~(a)~~] Each school district  
4 shall adopt a campus charter and [~~campus~~] program charter policy.  
5 The policy must specify:

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

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

10 (3) the items that must be included in a charter  
11 application.

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

15 Sec. 12.062. REVISION. A charter granted under this  
16 subchapter may be revised[+]

17 [~~(1)~~] with the approval of the board of trustees at the  
18 request [~~that granted the charter, and~~

19 [~~(2) on a petition signed by a majority~~] of [~~the~~]  
20 parents and [~~a majority of the classroom~~] teachers at the campus or  
21 in the program, as applicable.

22 SECTION 2. Section 12.053, Education Code, is repealed.

23 SECTION 3. The amendment of Section 12.052, Education Code,  
24 or the repeal of Section 12.053, Education Code, by this Act does  
25 not affect a charter issued under either section before September  
26 1, 2003, and those sections are continued in effect for that  
27 purpose.

1 SECTION 4. This Act takes effect September 1, 2003.