

By: Shapiro

S.B. No. 933

A BILL TO BE ENTITLED

1 AN ACT

2 relating to charter schools, including virtual charter schools, of
3 public colleges and universities.

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

5 SECTION 1. This Act may be cited as the Virtual Charter
6 Schools Act.

7 SECTION 2. Section 12.002, Education Code, is amended to
8 read as follows:

9 Sec. 12.002. CLASSES OF CHARTER. The classes of charter
10 under this chapter are:

11 (1) a home-rule school district charter as provided by
12 Subchapter B;

13 (2) a campus or campus program charter as provided by
14 Subchapter C; or

15 (3) an open-enrollment charter as provided by
16 Subchapter D or Subchapter E.

17 SECTION 3. Section 12.151, Education Code, is amended to
18 read as follows:

19 Sec. 12.151. DEFINITIONS [~~DEFINITION~~]. In this subchapter:

20 (1) "Educational activities" means the student
21 activities described in the charter of a virtual charter school,
22 the participation in which counts towards a student's minimum
23 required hours of instruction as determined in accordance with
24 Section 12.153(a).

1 (2)[7] "Public [~~public~~] senior college or university"
2 has the meaning assigned by Section 61.003.

3 (3) "Public senior college or university charter
4 school" means any open-enrollment charter school authorized and
5 operated in accordance with this subchapter.

6 (4) "Virtual charter school" means any
7 open-enrollment charter school authorized and operated in
8 accordance with this subchapter that utilizes technology to deliver
9 a significant portion of instruction through the Internet or in a
10 virtual or remote setting to students within the state.

11 SECTION 4. Section 12.152, Education Code, is amended by
12 adding Subsection (b) to read as follows:

13 (b) In accordance with this subchapter and Subchapter D, the
14 State Board of Education may grant a charter on the application of a
15 public senior college or university for a virtual charter school.

16 SECTION 5. Sections 12.153 and 12.154, Education Code, are
17 amended to read as follows:

18 Sec. 12.153. RULES. (a) Each virtual charter school
19 shall:

20 (1) for the purpose of determining the amount of state
21 funds available for a virtual charter school under Section 12.106,
22 develop a mechanism to determine the number of hours of educational
23 activities completed by a virtual charter school student that is
24 the equivalent of one day of school attendance;

25 (2) provide each of its students with access to a
26 curriculum that meets or exceeds state academic standards;

27 (3) assess the academic performance of each of the

1 charter school's students at least once per week during the
2 academic year in each core curriculum subject area;

3 (4) notwithstanding Section 12.107, make available to
4 the parent or guardian of each enrolled student: physical copies of
5 instructional materials related to each student's curriculum; a
6 computer and printer; and reimbursement for an Internet connection
7 to be used for school work;

8 (5) employ teachers who are certified under Subchapter
9 B, Chapter 21;

10 (6) maintain a teacher-to-student ratio of at least
11 one teacher for every 60 students;

12 (7) require its teachers to be available at least four
13 times each academic year to meet with the parent or guardian of each
14 of the teacher's students; and

15 (8) maintain an administrative office in the county in
16 which the school's charter holder is located.

17 (b) An administrative office maintained by a virtual
18 charter school according to Subsection (a)(8) shall be considered
19 the principal place of business of the virtual charter school.

20 (c) A virtual charter school may not:

21 (1) make any payment, in cash or cash equivalents,
22 other than payments required to provide the items described in
23 Subsection (a)(4); or

24 (2) prohibit a student from working at a different
25 grade level in any subject.

26 (d) The commissioner shall adopt rules to implement the
27 requirements for virtual charter schools under Subsections (a),

1 (b), and (c).

2 (e) The commissioner may adopt additional rules to
3 implement any other provision of this subchapter.

4 Sec. 12.154. CONTENT. Notwithstanding Section 12.110(d),
5 the State Board of Education may grant a charter under this
6 subchapter only if the following criteria are satisfied in the
7 public senior college's or university's application, as determined
8 by the State Board of Education:

9 (1) the public senior college or university charter
10 school's educational program must include innovative teaching
11 methods;

12 (2) the public senior college or university charter
13 school's educational program must be implemented under the direct
14 supervision of a member of the teaching or research faculty of the
15 public senior college or university;

16 (3) the faculty member supervising the public senior
17 college or university charter school's educational program must
18 have substantial experience and expertise in education research,
19 teacher education, classroom instruction, or educational
20 administration;

21 (4) the public senior college or university charter
22 school's educational program must be designed to meet specific
23 goals described in the charter, including improving student
24 performance, and each aspect of the program must be directed toward
25 the attainment of the goals;

26 (5) the attainment of the public senior college or
27 university charter school's educational program goals must be

1 measured using specific, objective standards set forth in the
2 charter, including assessment methods and a time frame; and

3 (6) the financial operations of the public senior
4 college or university charter school must be supervised by the
5 business office of the public senior college or university.

6 SECTION 6. Subsection (a), Section 12.156, Education Code,
7 is amended to read as follows:

8 (a) Except as otherwise provided by this subchapter,
9 Subchapter D applies to a public senior college or university
10 charter school as though the public senior college or university
11 charter school were granted a charter under that subchapter.

12 SECTION 7. Subchapter E, Chapter 12, Education Code, is
13 amended by adding Section 12.157 to read as follows:

14 Sec. 12.157. ANNUAL EVALUATION OF VIRTUAL CHARTER SCHOOLS.

15 (a) Notwithstanding the provisions of Section 12.118, each public
16 senior college or university sponsoring a virtual charter school
17 under this subchapter shall perform an annual evaluation of the
18 virtual charter school.

19 (b) An evaluation under Subsection (a) must include an
20 analysis of:

21 (1) any increase in student achievement, measured
22 according to the charter of the virtual charter school and state
23 academic standards;

24 (2) the academic, fiscal, and operational performance
25 of the virtual charter school; and

26 (3) the assessment test scores for any of the virtual
27 charter school's students who take any of the state assessment

1 tests described in Section 39.023.

2 SECTION 8. This Act takes effect September 1, 2003.