

1-1 By: Shapiro S.B. No. 933  
1-2 (In the Senate - Filed March 6, 2003; March 11, 2003, read  
1-3 first time and referred to Committee on Education; April 10, 2003,  
1-4 reported adversely, with favorable Committee Substitute by the  
1-5 following vote: Yeas 5, Nays 3; April 10, 2003, sent to printer.)

1-6 COMMITTEE SUBSTITUTE FOR S.B. No. 933 By: Shapiro

1-7 A BILL TO BE ENTITLED  
1-8 AN ACT

1-9 relating to a virtual charter school administered by a public  
1-10 senior college or university.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 12.002, Education Code, is amended to  
1-13 read as follows:

1-14 Sec. 12.002. CLASSES OF CHARTER. The classes of charter  
1-15 under this chapter are:

1-16 (1) a home-rule school district charter as provided by  
1-17 Subchapter B;

1-18 (2) a campus or campus program charter as provided by  
1-19 Subchapter C; ~~or~~

1-20 (3) an open-enrollment charter as provided by  
1-21 Subchapter D; or

1-22 (4) a college or university charter as provided by  
1-23 Subchapter E.

1-24 SECTION 2. Sections 12.151, 12.152, and 12.153, Education  
1-25 Code, are amended to read as follows:

1-26 Sec. 12.151. DEFINITIONS [~~DEFINITION~~]. In this subchapter:

1-27 (1) "Educational activity" means an activity of a  
1-28 student enrolled in a virtual charter school that is considered for  
1-29 purposes of a student's minimum hours of instruction required by a  
1-30 charter granted under this subchapter or rules adopted under this  
1-31 subchapter.

1-32 (2) "Public [~~public~~ senior college or university"  
1-33 has the meaning assigned by Section 61.003.

1-34 (3) "Virtual charter school" means a charter school  
1-35 authorized and operating under this subchapter that uses  
1-36 technology, including the Internet, to deliver a significant  
1-37 portion of the school's instruction outside of a central campus.

1-38 Sec. 12.152. AUTHORIZATION. [~~(a)~~] In accordance with this  
1-39 subchapter and Subchapter D, the State Board of Education may grant  
1-40 a charter on the application of a public senior college or  
1-41 university for:

1-42 (1) an open-enrollment charter school to operate on  
1-43 the campus of the public senior college or university or in the same  
1-44 county in which the campus of the public senior college or  
1-45 university is located; or

1-46 (2) a virtual charter school administered by a public  
1-47 senior college or university to operate from an administrative  
1-48 office in the same county in which the campus of the college or  
1-49 university is located.

1-50 Sec. 12.153. RULES. (a) The commissioner may adopt rules  
1-51 to implement this subchapter.

1-52 (b) The commissioner shall adopt rules to administer  
1-53 virtual charter schools under this subchapter. For purposes of  
1-54 charter school funding under Section 12.106, the commissioner shall  
1-55 determine the number of hours of virtual charter school educational  
1-56 activities that are the equivalent of one day of school attendance.

1-57 SECTION 3. Subchapter E, Chapter 12, Education Code, is  
1-58 amended by adding Section 12.157 to read as follows:

1-59 Sec. 12.157. VIRTUAL CHARTER SCHOOL. (a) A virtual  
1-60 charter school must:

1-61 (1) provide each student enrolled in the school with  
1-62 access to a secular curriculum that meets or exceeds state academic  
1-63 standards;

2-1                   (2) allow each student to work at a grade level other  
2-2 than the grade level in which the student is enrolled;  
2-3                   (3) an average of at least once each week during the  
2-4 school year, assess each student's performance in each subject in  
2-5 the foundation curriculum in which the student is enrolled;  
2-6                   (4) ensure that a parent or legal guardian of each  
2-7 student verifies the number of hours of educational activities  
2-8 completed by the student each school year;  
2-9                   (5) make available to the parent or legal guardian of  
2-10 each student:  
2-11                         (A) a computer and printer;  
2-12                         (B) physical copies of any instructional  
2-13 materials related to the student's curriculum; and  
2-14                         (C) reimbursement for any fees related to  
2-15 Internet access used for educational activities; and  
2-16                   (6) maintain a student/teacher ratio of not less than  
2-17 one teacher for each 60 students in average daily attendance.  
2-18                   (b) A student enrolled in a virtual charter school shall  
2-19 complete:  
2-20                         (1) at least 720 hours of educational activities each  
2-21 school year if the student is enrolled in grade two or lower; and  
2-22                         (2) at least 900 hours of educational activities each  
2-23 school year if the student is enrolled in grade three or higher.  
2-24                   (c) A teacher employed by a virtual charter school:  
2-25                         (1) must be appropriately certified under Subchapter  
2-26 B, Chapter 21; and  
2-27                         (2) shall, at least four times each school year, be  
2-28 available to meet with the parent or legal guardian of each student  
2-29 enrolled in the teacher's class.  
2-30                   (d) A virtual charter school is entitled for each student in  
2-31 average daily attendance to funding at a level equal to an  
2-32 open-enrollment charter school.  
2-33                   (e) A public senior college or university that holds a  
2-34 charter for a virtual charter school shall annually conduct an  
2-35 evaluation of the school, including an analysis of:  
2-36                         (1) any increase in student achievement, as measured  
2-37 using state academic standards and standards described by the  
2-38 charter;  
2-39                         (2) the academic, fiscal, and operational performance  
2-40 of the school; and  
2-41                         (3) the performance of any students who are assessed  
2-42 using an assessment instrument adopted under Section 39.023.  
2-43                   SECTION 4. This Act takes effect immediately if it receives  
2-44 a vote of two-thirds of all the members elected to each house, as  
2-45 provided by Section 39, Article III, Texas Constitution. If this  
2-46 Act does not receive the vote necessary for immediate effect, this  
2-47 Act takes effect September 1, 2003.

2-48

\* \* \* \* \*