

BILL ANALYSIS

H.B. 2778
By: Harper-Brown
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, if an open-enrollment charter school in Texas loses their charter, the children attending the school must either be located to another charter school in the area or attend public school.

House Bill 2778 allows an open-enrollment charter school, deemed “exemplary” by the standards of the Texas Education Agency, to assume the operation of another open-enrollment charter school without having to re-apply for another new charter if that campus discontinues operation because of revocation, denial of renewal or surrender of their charter.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Commissioner of Education in SECTION 1 of this bill.

ANALYSIS

H.B. 2778 amends Subchapter D, Chapter 12, Education Code by adding Section 12.1141, ADDITION OF CERTAIN CAMPUSES.

HB 2778 allows an open-enrollment charter-school to assume the operation of another charter school if that campus discontinues operation because of revocation, denial of renewal or surrender of their charter.

HB 2778 sets forth that an open-enrollment charter school may assume the operation of a campus under this section if the school submits a written request to the commissioner to assume the operation of the school, at the time of the request the school is rated exemplary, the school must agree to operate the campus at it’s current location and must comply with any other requirements as determined by the commissioner.

HB 2778 sets forth that the commissioner may not require an open-enrollment charter school to submit an application for a new charter before assuming the operation of a campus. The commissioner shall by rule adopt an expedited schedule for ruling on a request and rule on a school's request in a time and manner that ensures minimal disruption of the education of student's enrolled at that campus.

HB 2778 sets forth that a request under this section is considered a revision of the charter school’s charter. The commissioner may adopt rules for the administration of this section.

EFFECTIVE DATE

This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2005.