

1-1 By: King of Parker, Zedler (Senate Sponsor-Brimer) H.B. No. 1111
1-2 (In the Senate - Received from the House May 13, 2005;
1-3 May 16, 2005, read first time and referred to Committee on
1-4 Education; May 20, 2005, reported favorably by the following vote:
1-5 Yeas 6, Nays 0; May 20, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to admission to open-enrollment charter schools that
1-9 specialize in performing arts.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 12.111(a), Education Code, is amended to
1-12 read as follows:

1-13 (a) Each charter granted under this subchapter must:

1-14 (1) describe the educational program to be offered,
1-15 which must include the required curriculum as provided by Section
1-16 28.002;

1-17 (2) specify the period for which the charter or any
1-18 charter renewal is valid;

1-19 (3) provide that continuation or renewal of the
1-20 charter is contingent on acceptable student performance on
1-21 assessment instruments adopted under Subchapter B, Chapter 39, and
1-22 on compliance with any accountability provision specified by the
1-23 charter, by a deadline or at intervals specified by the charter;

1-24 (4) establish the level of student performance that is
1-25 considered acceptable for purposes of Subdivision (3);

1-26 (5) specify any basis, in addition to a basis
1-27 specified by this subchapter, on which the charter may be placed on
1-28 probation or revoked or on which renewal of the charter may be
1-29 denied;

1-30 (6) prohibit discrimination in admission policy on the
1-31 basis of sex, national origin, ethnicity, religion, disability,
1-32 academic, artistic, or athletic ability, or the district the child
1-33 would otherwise attend in accordance with this code, although the
1-34 charter may:

1-35 (A) provide for the exclusion of a student who
1-36 has a documented history of a criminal offense, a juvenile court
1-37 adjudication, or discipline problems under Subchapter A, Chapter
1-38 37; and

1-39 (B) provide for an admission policy that requires
1-40 a student to demonstrate artistic ability if the school specializes
1-41 in performing arts;

1-42 (7) specify the grade levels to be offered;

1-43 (8) describe the governing structure of the program,
1-44 including:

1-45 (A) the officer positions designated;

1-46 (B) the manner in which officers are selected and
1-47 removed from office;

1-48 (C) the manner in which members of the governing
1-49 body of the school are selected and removed from office;

1-50 (D) the manner in which vacancies on that
1-51 governing body are filled;

1-52 (E) the term for which members of that governing
1-53 body serve; and

1-54 (F) whether the terms are to be staggered;

1-55 (9) specify the powers or duties of the governing body
1-56 of the school that the governing body may delegate to an officer;

1-57 (10) specify the manner in which the school will
1-58 distribute to parents information related to the qualifications of
1-59 each professional employee of the program, including any
1-60 professional or educational degree held by each employee, a
1-61 statement of any certification under Subchapter B, Chapter 21, held
1-62 by each employee, and any relevant experience of each employee;

1-63 (11) describe the process by which the person
1-64 providing the program will adopt an annual budget;

2-1 (12) describe the manner in which an annual audit of
2-2 the financial and programmatic operations of the program is to be
2-3 conducted, including the manner in which the person providing the
2-4 program will provide information necessary for the school district
2-5 in which the program is located to participate, as required by this
2-6 code or by State Board of Education rule, in the Public Education
2-7 Information Management System (PEIMS);

2-8 (13) describe the facilities to be used;

2-9 (14) describe the geographical area served by the
2-10 program; and

2-11 (15) specify any type of enrollment criteria to be
2-12 used.

2-13 SECTION 2. Subchapter D, Chapter 12, Education Code, is
2-14 amended by adding Section 12.1171 to read as follows:

2-15 Sec. 12.1171. ADMISSION TO OPEN-ENROLLMENT CHARTER SCHOOLS
2-16 SPECIALIZING IN PERFORMING ARTS. Notwithstanding Section 12.117,
2-17 the governing body of an open-enrollment charter school that
2-18 specializes in one or more performing arts may require an applicant
2-19 to audition for admission to the school.

2-20 SECTION 3. This Act applies beginning with the 2005-2006
2-21 school year.

2-22 SECTION 4. This Act takes effect immediately if it receives
2-23 a vote of two-thirds of all the members elected to each house, as
2-24 provided by Section 39, Article III, Texas Constitution. If this
2-25 Act does not receive the vote necessary for immediate effect, this
2-26 Act takes effect September 1, 2005.

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