

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the continued operation of certain open-enrollment
3 charter school campuses for which the charter is revoked, not
4 renewed, or surrendered.

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

6 SECTION 1. Subchapter D, Chapter 12, Education Code, is
7 amended by adding Section 12.1141 to read as follows:

8 Sec. 12.1141. ADDITION OF CERTAIN CAMPUSES. (a) Subject to
9 Subsection (b), an open-enrollment charter school may assume the
10 operation of another open-enrollment charter holder's campus that
11 discontinues operation because of a revocation, denial of renewal,
12 or surrender of the charter under this subchapter.

13 (b) An open-enrollment charter school may assume the
14 operation of a campus under this section if:

15 (1) the school submits a written request to the
16 commissioner to assume operation of the campus;

17 (2) at the time of the request, the school is rated
18 exemplary under Subchapter D, Chapter 39;

19 (3) the school agrees to operate the campus in the
20 campus's existing geographic area; and

21 (4) the school complies with any other necessary
22 requirements, as determined by the commissioner.

23 (c) The commissioner may not require an open-enrollment
24 charter school to submit an application for a new charter under this

1 chapter before assuming the operation of a campus under this
2 section. The commissioner shall:

3 (1) by rule adopt an expedited schedule for ruling on a
4 request under this section; and

5 (2) rule on a school's request under this section in a
6 time and manner that ensures minimal disruption of the education of
7 students enrolled at the campus.

8 (d) A request granted under this section is considered a
9 revision of the open-enrollment charter school's charter.

10 (e) The commissioner may adopt rules for the administration
11 of this section.

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