

Amend CSHB 2237 (Senate committee printing) as follows:

(1) Between SECTIONS 2 and 3 of the bill (page 2, between lines 1 and 2), insert the following appropriately numbered SECTION to the bill:

SECTION \_\_\_\_\_. Subchapter D, Chapter 12, Education Code, is amended by adding Sections 12.134 and 12.135 to read as follows:

Sec. 12.134. AGREEMENT BETWEEN CERTAIN SCHOOL DISTRICTS AND OPEN-ENROLLMENT CHARTER SCHOOLS. (a) This section applies only to a school district with a student enrollment of 140,000 or more.

(b) Notwithstanding any other law, a school district that contracts with an open-enrollment charter school for education services for the district's students on the premises of the charter school may elect to have the federal and state funds attributable to students educated by the charter school paid directly to the charter school.

(c) A district that elects for direct payment to the charter school under Subsection (b):

(1) shall make an annual declaration of the district's election under Subsection (b) in the manner prescribed by the commissioner; and

(2) remains responsible for any overallocation or audit recovery of federal or state funds as determined by the commissioner.

(d) The contract between the school district and the charter school shall identify for each school year the students from the school district who may enroll in the charter school and be served in the leased facilities. The district may identify the students under this subsection based on:

(1) the enrollment and attendance of the eligible students at a specified campus or campuses in the leasing school district;

(2) the needs of the eligible students for specific academic services;

(3) the academic performance of the eligible students in previous school years; or

(4) other objective factors as determined by the district and charter school.

(e) The contract may prohibit a charter school from enrolling students, other than students designated in the contract as provided by Subsection (d), at the leased facilities.

(f) This section expires September 1, 2011.

Sec. 12.135. STATE FUNDING UNDER CERTAIN SCHOOL DISTRICT AGREEMENTS. (a) Notwithstanding any other provision of Chapter 41 or 42, and in addition to any other funds to which a school district may be entitled, a school district that enters into an agreement with a charter school under Section 12.134 is entitled to receive the greater of the following amounts of state funding:

(1) the amount the charter school would receive as calculated under Section 12.106; or

(2) the amount to which the school district is entitled under Chapters 41 and 42 for the student.

(b) This section expires September 1, 2011.

(2) Renumber the SECTIONS of the bill accordingly.