

Amend CSSB 1 (house committee printing) by inserting the following new ARTICLE, appropriately numbered, into the bill and renumbering the subsequent ARTICLES and SECTIONS of the bill accordingly:

ARTICLE _____. VIRTUAL CAMPUS CHARTER SCHOOLS

SECTION _____.01. Section 12.051, Education Code, is amended to read as follows:

Sec. 12.051. DEFINITIONS. In this subchapter:

(1) ~~["Parent" means the parent who is indicated on the student registration form at that school campus.]~~

~~[(2)]~~ "Board" and "board of trustees" mean the board of trustees of a school district or the governing body of a home-rule school district.

(2) "Parent" means the parent who is indicated on the student registration form at that school campus.

(3) "Virtual campus charter school" means a campus charter school in which all or a portion of the instruction is provided through means of the Internet or other technology, and the students enrolled in and instructional staff of the school are geographically remote from each other.

SECTION _____.02. Section 12.0521, Education Code, is amended by amending Subsections (a) and (b) and adding Subsections (d) and (e) to read as follows:

(a) Notwithstanding Section 12.052, in accordance with this subchapter and in the manner provided by this section, the board of trustees of a school district or the governing body of a home-rule school district may grant a charter for:

(1) a new district campus; ~~[or]~~

(2) a program that is operated:

(A) by an entity that has entered into a contract with the district under Section 11.157 to provide educational services to the district through the campus or program; and

(B) at a facility located in the boundaries of the district; or

(3) a virtual campus charter school.

(b) A student's parent or guardian may choose to enroll the student at a campus or in a program under this section, including

through a transfer under Section 25.036. A school district may not assign a student to a campus or program under this section unless the student's parent or guardian has voluntarily enrolled the student at the campus or in the program. A student's parent or guardian may, at any time, remove the student from a campus or program under this section and enroll the student at the campus to which the student would ordinarily be assigned.

(d) In granting a charter under Subsection (a)(3), the board of trustees of the school district must explicitly state whether the virtual campus charter school will operate as an independent local education agency.

(e) The agency may charge a virtual campus charter school operating as an independent local education agency a fee equal to the cost of including the school as an independent local education agency in the agency's existing administrative systems, not to exceed \$25,000.

SECTION _____.03. Section 12.056, Education Code, is amended by adding Subsections (c) and (d) to read as follows:

(c) Notwithstanding Subsection (b)(2)(I), if, in granting a charter under Section 12.0521(a)(3) for a virtual campus charter school, the board of trustees of the school district has determined that the virtual campus charter school will operate as an independent local education agency, the school is considered to be a district for purposes of Subchapters B, C, D, E, and J, Chapter 39, and the school is subject to each of those subchapters.

(d) A virtual campus charter school is exempt from any provision of this title that requires physical attendance at a school facility by the student, including any provision relating to a required method for determining attendance or instructional time that is dependent on the physical presence of a student.

SECTION _____.04. Section 12.059, Education Code, is amended to read as follows:

Sec. 12.059. CONTENT. (a) Each charter granted under this subchapter must:

(1) describe the educational program to be offered, which may be a general or specialized program;

(2) provide that continuation of the charter is

contingent on satisfactory student performance under Subchapter B, Chapter 39, and on compliance with other applicable accountability provisions under Chapter 39;

(3) specify any basis, in addition to a basis specified by this subchapter, on which the charter may be placed on probation or revoked;

(4) prohibit discrimination in admission on the basis of national origin, ethnicity, race, religion, or disability;

(5) describe the governing structure of the campus or program;

(6) specify any procedure or requirement, in addition to those under Chapter 38, that the campus or program will follow to ensure the health and safety of students and employees; and

(7) describe the manner in which an annual audit of financial and programmatic operations of the campus or program is to be conducted, including the manner in which the campus or program will provide information necessary for the school district in which it is located to participate, as required by this code or by State Board of Education rule, in the Public Education Information Management System (PEIMS).

(b) In addition to providing the information required under Subsection (a), each charter granted under Section 12.0521(a)(3) for a virtual campus charter school must:

(1) specify the method by which attendance and instructional time will be tracked and reported to verify compliance with annual attendance and instructional time requirements; and

(2) specify the educational responsibilities for each student to be met by the school's teachers.

(c) Each charter granted under Section 12.0521(a)(3) must provide that the virtual campus charter school will not enroll a student, other than a student described by Subsection (d), unless the student was enrolled in a public school in this state during the school year preceding the school year for which the student is seeking to enroll in the virtual campus charter school.

(d) The requirement imposed by Subsection (c) does not apply to a student who seeks to enroll in a virtual campus charter school

at the kindergarten level.