

BILL ANALYSIS

H.B. 2366
By: Truitt
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Texas charter schools are subject to an array of federal laws, some of which determine federal funding that can prove crucial to a school's success. If a charter school receiving federal funds has more student applicants than positions available, one such federal law requires the school to establish a lottery to determine which students will be admitted. Certain categories of applicants may be exempted from a lottery, such as children of employees in a work-site charter school, provided that the total number of students allowed under this exemption constitutes only a small percentage of the school's total enrollment. Interested parties note that charter schools owned by municipalities currently may not exempt the children of municipal employees from the lottery under the work-site exemption, even though the school is owned by the parents' employer.

H.B. 2366 seeks to remedy this situation by setting out provisions relating to the authority of an open-enrollment charter school operated by a municipality to give preference in admissions to children of employees of the municipality.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2366 amends the Education Code to establish that an open-enrollment charter school authorized by a charter granted to a municipality is considered a work-site open-enrollment charter school for purposes of federal regulations regarding admissions policies that apply to open-enrollment charter schools receiving federal funding and to authorize such a charter school to admit children of employees of the municipality to the school before conducting a lottery to fill remaining available positions, provided that the number of children admitted constitutes only a small percentage, as may be further specified by federal regulation, of the school's total enrollment.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.