

BILL ANALYSIS

S.B. 1872
By: Van de Putte
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties have advocated for certain adjustments in provisions of law relating to approving additional charter schools under an existing charter and relating to revoking or denying renewal of charters of charter schools. S.B. 1872 seeks to address the issues raised by these parties by amending current law relating to revising, revoking, or denying renewal of charters of open-enrollment charter schools under certain circumstances.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the commissioner of education in SECTION 1 of this bill.

ANALYSIS

S.B. 1872 amends the Education Code to prohibit the commissioner of education from denying approval for a charter holder to add one or more additional open-enrollment charter schools under an existing open-enrollment charter granted to the charter holder if the following conditions are met:

- considering available data, the charter holder meets all criteria established by rule for adding a charter school under an existing charter other than criteria for performance based on dropout and completion rates of one or more existing charter schools under the charter and the charter holder demonstrates through a process developed by the Texas Education Agency (TEA) that those criteria would be met if a student enrolled at the charter school who is at least 17 years of age at the time of enrollment were not considered a dropout and a student who graduates from the charter school before or during the student's sixth year of high school were considered a high school graduate;
- the charter holder, at the time of submission of the application for approval to add one or more additional charter schools, has been assigned a financial accountability rating indicating financial performance that is satisfactory or better; and
- each additional charter school will serve only high school students, will have an enrollment of students of whom at least 50 percent did not graduate with a ninth grade cohort, and will be in the geographical area served by the charter's educational program.

S.B. 1872 prohibits the commissioner from approving a total of more than 10 such additional charter schools. The bill authorizes the commissioner, in accordance with commissioner rule, to limit the enrollment of an additional charter school as necessary to conform to the capacity limits of the charter holder or the demand for services in the geographical area, as determined by the commissioner, but prohibits the commissioner from limiting the enrollment of an additional charter school to less than the number of students currently enrolled at the high school level at a charter school operated by the charter holder that focuses on dropout recovery.

S.B. 1872 prohibits the commissioner from revoking or denying renewal of the charter of an open-enrollment charter school that has an enrollment of students of whom at least 50 percent

did not graduate with a ninth grade cohort if the following conditions are met:

- considering available data, the charter holder meets all criteria established by rule for adding a charter school under an existing charter other than criteria for performance based on dropout and completion rates of one or more existing charter schools under the charter and the charter holder demonstrates through a process developed by the TEA that those criteria would be met if a student enrolled at the charter school who is at least 17 years of age at the time of enrollment were not considered a dropout and a student who graduates from the charter school before or during the student's sixth year of high school were considered a high school graduate; and
- the charter holder, at the time the ratings appeal is filed, has been assigned a financial accountability rating that indicates financial performance that is satisfactory or better.

S.B. 1872 sets its provisions to expire September 1, 2013.

EFFECTIVE DATE

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