

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 1872
By: Van de Putte et al.
Education
4/15/2011
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

C.S.S.B. 1872 amends current law relating to revising, revoking, or denying renewal of charters of open-enrollment charter schools under certain circumstances.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the commissioner of education in SECTION 1 (Section 12.1141, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter D, Chapter 12, Education Code, by adding Section 12.1141, as follows:

Sec. 12.1141. REVISION: ADDING SCHOOLS UNDER CERTAIN CIRCUMSTANCES. (a) Prohibits the commissioner of education (commissioner), except as provided by Subsection (b), 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:

(1) 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 the agency ratings appeal process that those criteria would be met if:

(A) a student enrolled at a charter school who is at least 17 years of age at the time of enrollment were not considered a dropout; and

(B) a student who graduates from a charter school before or during the student's sixth year of high school were considered a high school graduate;

(2) 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 under Subchapter D (Financial Accountability), Chapter 39 (Public School System Accountability), indicating financial performance that is satisfactory or better; and

(3) each additional charter school:

(A) will serve only high school students;

(B) will have an enrollment of students of whom at least 50 percent did not graduate with a ninth grade cohort; and

(C) will be in the geographical area described for the charter under Section 12.111(a)(14) (requiring that each charter granted under

this subchapter describe the geographical area served by the program).

(b) Authorizes the commissioner to, in accordance with commissioner rule, limit the number of additional charter schools approved under Subsection (a) or 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.

(c) Provides that this section expires September 1, 2013.

SECTION 2. Amends Subchapter D, Chapter 12, Education Code, by adding Section 12.1151, as follows:

Sec. 12.1151. LIMITATION ON REVOCATION OR DENIAL OF RENEWAL FOR CERTAIN CHARTER SCHOOLS. (a) Provides that this section applies only to 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.

(b) Prohibits the commissioner from revoking or denying renewal of the charter of an open-enrollment charter school to which this section applies if:

(1) the charter holder meets all criteria established by rule for adding a charter school under an existing chapter 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 the agency ratings appeal process that those criteria would be met if:

(A) 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

(B) 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

(2) the charter holder, at the time the ratings appeal is filed, has been assigned a financial accountability rating under Subchapter D, Chapter 39, that indicates financial performance that is satisfactory or better.

(c) Provides that this section expires September 1, 2013.

SECTION 3. Effective date: upon passage or September 1, 2011.