

AN ACT

relating to authorizing open-enrollment charter schools to be awarded academic distinction designations.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 39.201, Education Code, is amended to read as follows:

Sec. 39.201. DISTINCTION DESIGNATIONS. (a) Not later than August 8 of each year, the commissioner shall award distinction designations under this subchapter.

(b) A district or campus may not be awarded a distinction designation under this subchapter unless the district or campus has acceptable performance under Section 39.054.

(c) In addition to the condition prescribed by Subsection (b), an open-enrollment charter school may not be awarded a distinction designation under this subchapter if the charter school is evaluated under alternative education accountability procedures adopted by the commissioner.

SECTION 2. Subchapter G, Chapter 39, Education Code, is amended by adding Section 39.2011 to read as follows:

Sec. 39.2011. APPLICABILITY TO CHARTER SCHOOLS. In this subchapter:

(1) a district includes an open-enrollment charter school that operates on more than one campus; and

(2) a campus includes an open-enrollment charter

1 school campus.

2 SECTION 3. Subsection (b), Section 12.104, Education Code,  
3 is amended to read as follows:

4 (b) An open-enrollment charter school is subject to:

5 (1) a provision of this title establishing a criminal  
6 offense; and

7 (2) a prohibition, restriction, or requirement, as  
8 applicable, imposed by this title or a rule adopted under this  
9 title, relating to:

10 (A) the Public Education Information Management  
11 System (PEIMS) to the extent necessary to monitor compliance with  
12 this subchapter as determined by the commissioner;

13 (B) criminal history records under Subchapter C,  
14 Chapter 22;

15 (C) reading instruments and accelerated reading  
16 instruction programs under Section 28.006;

17 (D) accelerated instruction under Section  
18 28.0211;

19 (E) high school graduation requirements under  
20 Section 28.025;

21 (F) special education programs under Subchapter  
22 A, Chapter 29;

23 (G) bilingual education under Subchapter B,  
24 Chapter 29;

25 (H) prekindergarten programs under Subchapter E,  
26 Chapter 29;

27 (I) extracurricular activities under Section

1 33.081;

2 (J) discipline management practices or behavior  
3 management techniques under Section 37.0021;

4 (K) health and safety under Chapter 38;

5 (L) public school accountability under  
6 Subchapters B, C, D, E, G, and J, Chapter 39;

7 (M) the requirement under Section 21.006 to  
8 report an educator's misconduct; and

9 (N) intensive programs of instruction under  
10 Section 28.0213.

11 SECTION 4. This Act takes effect immediately if it receives  
12 a vote of two-thirds of all the members elected to each house, as  
13 provided by Section 39, Article III, Texas Constitution. If this  
14 Act does not receive the vote necessary for immediate effect, this  
15 Act takes effect September 1, 2011.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 1484 passed the Senate on April 14, 2011, by the following vote: Yeas 31, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 1484 passed the House on May 23, 2011, by the following vote: Yeas 139, Nays 8, two present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor