

By: Van de Putte, Davis

S.B. No. 1836

A BILL TO BE ENTITLED

AN ACT

relating to revision of open-enrollment charter school charters to add charter schools under certain circumstances.

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

SECTION 1. Subchapter D, Chapter 12, Education Code, is amended by adding Section 12.1141 to read as follows:

Sec. 12.1141. REVISION: ADDING SCHOOLS UNDER CERTAIN CIRCUMSTANCES. (a) Except as provided by Subsection (b), the commissioner may not deny 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 those criteria would be met if:

(A) a student enrolled at a charter school for 45 or fewer school days 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; and

(2) each additional charter school:

(A) will serve only high school students; and

(B) will be in the geographical area described

1 for the charter under Section 12.111(a)(14).

2 (b) The commissioner may, in accordance with commissioner  
3 rule, limit the number of additional charter schools approved under  
4 Subsection (a) or limit the enrollment of an additional charter  
5 school as necessary to conform to the capacity limits of the charter  
6 holder or the demand for services in the geographical area, as  
7 determined by the commissioner, but may not limit the enrollment of  
8 an additional charter school to less than the number of students  
9 currently enrolled at the high school level at a charter school  
10 operated by the charter holder that focuses on dropout recovery.

11 SECTION 2. 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.