

By: Rodriguez of Bexar

H.B. No. 2455

A BILL TO BE ENTITLED

AN ACT

relating to minimum qualifications for a teacher at an open-enrollment charter school.

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

SECTION 1. Section 12.104(b), Education Code, is amended to read as follows:

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

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

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

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

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

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

(D) accelerated instruction under Section 28.0211;

(E) high school graduation requirements under Section 28.025;

(F) special education programs under Subchapter

1 A, Chapter 29;

2 (G) bilingual education under Subchapter B,
3 Chapter 29;

4 (H) prekindergarten programs under Subchapter E,
5 Chapter 29;

6 (I) extracurricular activities under Section
7 33.081;

8 (J) discipline management practices or behavior
9 management techniques under Section 37.0021;

10 (K) health and safety under Chapter 38;

11 (L) public school accountability under
12 Subchapters B, C, D, E, F, G, and J, Chapter 39;

13 (M) the requirement under Section 21.006 to
14 report an educator's misconduct; ~~and~~

15 (N) intensive programs of instruction under
16 Section 28.0213; and

17 (O) educator certification under Chapter 21 and
18 educator rights under Sections 21.407, 21.408, and 22.001.

19 SECTION 2. Section 12.111(a), Education Code, is amended to
20 read as follows:

21 (a) Each charter granted under this subchapter must:

22 (1) describe the educational program to be offered,
23 which must include the required curriculum as provided by Section
24 28.002;

25 (2) specify the period for which the charter or any
26 charter renewal is valid;

27 (3) provide that continuation or renewal of the

1 charter is contingent on acceptable student performance on
2 assessment instruments adopted under Subchapter B, Chapter 39, and
3 on compliance with any accountability provision specified by the
4 charter, by a deadline or at intervals specified by the charter;

5 (4) establish the level of student performance that is
6 considered acceptable for purposes of Subdivision (3);

7 (5) specify any basis, in addition to a basis
8 specified by this subchapter, on which the charter may be placed on
9 probation or revoked or on which renewal of the charter may be
10 denied;

11 (6) prohibit discrimination in admission policy on the
12 basis of sex, national origin, ethnicity, religion, disability,
13 academic, artistic, or athletic ability, or the district the child
14 would otherwise attend in accordance with this code, although the
15 charter may:

16 (A) provide for the exclusion of a student who
17 has a documented history of a criminal offense, a juvenile court
18 adjudication, or discipline problems under Subchapter A, Chapter
19 37; and

20 (B) provide for an admission policy that requires
21 a student to demonstrate artistic ability if the school specializes
22 in performing arts;

23 (7) specify the grade levels to be offered;

24 (8) describe the governing structure of the program,
25 including:

26 (A) the officer positions designated;

27 (B) the manner in which officers are selected and

1 removed from office;

2 (C) the manner in which members of the governing
3 body of the school are selected and removed from office;

4 (D) the manner in which vacancies on that
5 governing body are filled;

6 (E) the term for which members of that governing
7 body serve; and

8 (F) whether the terms are to be staggered;

9 (9) specify the powers or duties of the governing body
10 of the school that the governing body may delegate to an officer;

11 (10) specify the manner in which the school will
12 distribute to parents information related to the qualifications of
13 each professional employee of the program, including any
14 professional or educational degree held by each employee, a
15 statement of the appropriate ~~[any]~~ certification under Subchapter
16 B, Chapter 21, held by each employee, and any relevant experience of
17 each employee;

18 (11) describe the process by which the person
19 providing the program will adopt an annual budget;

20 (12) describe the manner in which an annual audit of
21 the financial and programmatic operations of the program is to be
22 conducted, including the manner in which the person providing the
23 program will provide information necessary for the school district
24 in which the program is located to participate, as required by this
25 code or by State Board of Education rule, in the Public Education
26 Information Management System (PEIMS);

27 (13) describe the facilities to be used;

1 (14) describe the geographical area served by the
2 program; and

3 (15) specify any type of enrollment criteria to be
4 used.

5 SECTION 3. Section 12.129, Education Code, is amended to
6 read as follows:

7 Sec. 12.129. MINIMUM TEACHER QUALIFICATIONS. A person
8 employed as a teacher by an open-enrollment charter school must
9 hold the appropriate certification under Subchapter B, Chapter 21
10 ~~[a high school diploma]~~.

11 SECTION 4. This Act applies beginning with the 2013-2014
12 school year.

13 SECTION 5. This Act takes effect immediately if it receives
14 a vote of two-thirds of all the members elected to each house, as
15 provided by Section 39, Article III, Texas Constitution. If this
16 Act does not receive the vote necessary for immediate effect, this
17 Act takes effect September 1, 2013.