

By: Farney

H.B. No. 2663

A BILL TO BE ENTITLED

AN ACT

relating to revocation of charters for certain open-enrollment charter schools.

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

SECTION 1. Section 12.115, Education Code, is amended by amending Subsection (a) and adding Subsections (c) and (d) to read as follows:

(a) Except as provided by Subsection (c), the ~~[The]~~ commissioner may modify, place on probation, revoke, or deny renewal of the charter of an open-enrollment charter school if the commissioner determines that the charter holder:

(1) committed a material violation of the charter, including failure to satisfy accountability provisions prescribed by the charter;

(2) failed to satisfy generally accepted accounting standards of fiscal management;

(3) failed to protect the health, safety, or welfare of the students enrolled at the school; or

(4) failed to comply with this subchapter or another applicable law or rule.

(c) The commissioner shall revoke the charter of an open-enrollment charter school if, for the three preceding school years:

(1) a campus operating under the charter has been

1 assigned an unacceptable performance rating under Subchapter C,
2 Chapter 39; or

3 (2) the charter holder has been assigned a financial
4 accountability performance rating indicating performance that is
5 lower than satisfactory under Subchapter D, Chapter 39.

6 (d) A campus of an open-enrollment charter school rated as
7 academically unacceptable under Subchapter D, Chapter 39, as that
8 subchapter existed January 1, 2009, for the 2010-2011 school year
9 is considered to have been assigned an unacceptable performance
10 rating for that school year under Subsection (c)(1). This
11 subsection expires September 1, 2015.

12 SECTION 2. This Act applies beginning with the 2013-2014
13 school year.

14 SECTION 3. This Act takes effect immediately if it receives
15 a vote of two-thirds of all the members elected to each house, as
16 provided by Section 39, Article III, Texas Constitution. If this
17 Act does not receive the vote necessary for immediate effect, this
18 Act takes effect September 1, 2013.