

By: Farney

H.B. No. 2664

A BILL TO BE ENTITLED

1 AN ACT
2 relating to establishment of open-enrollment charter school
3 campuses under existing charters under certain circumstances
4 without applying for authorization.

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

6 SECTION 1. Section 12.101, Education Code, is amended by
7 adding Subsection (b-1) to read as follows:

8 (b-1) A charter holder may establish one or more new
9 open-enrollment charter school campuses under a charter without
10 applying for authorization from the State Board of Education if:

11 (1) each open-enrollment charter school campus
12 operating under the charter has been assigned an acceptable
13 performance rating as provided by Subchapter C, Chapter 39, for the
14 two preceding school years;

15 (2) the charter holder has been assigned a financial
16 performance accountability rating of standard achievement or
17 higher under Subchapter D, Chapter 39, for each of the three
18 preceding school years;

19 (3) the charter holder provides written notice of the
20 establishment of any campus under this subsection, in the time,
21 manner, and form provided by commissioner rule, to the State Board
22 of Education and the commissioner; and

23 (4) not later than the 60th day after the date the
24 charter holder provides written notice under Subdivision (3), the

1 commissioner does not provide written notice to the charter holder
2 disapproving a new campus under this section.

3 SECTION 2. Section 12.1101, Education Code, is amended to
4 read as follows:

5 Sec. 12.1101. NOTIFICATION OF CHARTER APPLICATION OR
6 ESTABLISHMENT OF CAMPUS. The commissioner by rule shall adopt a
7 procedure for providing notice to the following persons on receipt
8 by the State Board of Education of an application for a charter for
9 an open-enrollment charter school under Section 12.110 or on
10 receipt by the board and the commissioner of notice of the
11 establishment of a campus as authorized under Section 12.101(b-1):

12 (1) the board of trustees of each school district from
13 which the proposed open-enrollment charter school or campus is
14 likely to draw students, as determined by the commissioner; and

15 (2) each member of the legislature that represents the
16 geographic area to be served by the proposed school or campus, as
17 determined by the commissioner.

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