

By: Patrick

S.B. No. 1571

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to home-rule school district charters and to the  
3 applicability of certain laws and procedures to those districts.

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

5 SECTION 1. Section 12.013(b), Education Code, is amended to  
6 read as follows:

7 (b) A home-rule school district is subject to:

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

10 (2) a provision of this title relating to limitations  
11 on liability; and

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

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

18 ~~(B) educator certification under Chapter 21 and~~  
19 ~~educator rights under Sections 21.407, 21.408, and 22.001;~~

20 ~~(C) criminal history records under Subchapter C,~~  
21 Chapter 22;

22 (C) ~~(D)~~ student admissions under Section  
23 25.001;

24 (D) ~~(E)~~ school attendance under Sections

1 25.085, 25.086, and 25.087;  
2 ~~(F) inter-district or inter-county transfers of~~  
3 ~~students under Subchapter B, Chapter 25;~~  
4 ~~(G) elementary class size limits under Section~~  
5 ~~25.112, in the case of any campus in the district that fails to~~  
6 ~~satisfy any standard under Section 39.054(e);~~  
7 (E) ~~(H)~~ high school graduation under Section  
8 28.025;  
9 (F) ~~(I)~~ special education programs under  
10 Subchapter A, Chapter 29;  
11 (G) ~~(J)~~ bilingual education under Subchapter B,  
12 Chapter 29;  
13 (H) ~~(K)~~ prekindergarten programs under  
14 Subchapter E, Chapter 29;  
15 (I) ~~(L)~~ safety provisions relating to the  
16 transportation of students under Sections 34.002, 34.003, 34.004,  
17 and 34.008;  
18 (J) ~~(M)~~ computation and distribution of state  
19 aid under Chapters 31, 42, and 43;  
20 (K) ~~(N)~~ extracurricular activities under  
21 Section 33.081;  
22 (L) ~~(O)~~ health and safety under Chapter 38;  
23 (M) ~~(P)~~ public school accountability under  
24 Subchapters B, C, D, E, and J, Chapter 39;  
25 (N) ~~(Q)~~ equalized wealth under Chapter 41;  
26 (O) ~~(R)~~ a bond or other obligation or tax rate  
27 under Chapters 42, 43, and 45; ~~and~~

- 1           (P) ~~(S)~~ purchasing under Chapter 44;
- 2           (Q) reading instruments and accelerated reading
- 3 instruction programs under Section 28.006;
- 4           (R) accelerated instruction under Section
- 5 28.0211;
- 6           (S) discipline management practices or behavior
- 7 management techniques under Section 37.0021;
- 8           (T) reporting misconduct of educators under
- 9 Section 21.006; and
- 10          (U) intensive programs of instruction under
- 11 Section 28.0213.

12 SECTION 2. Section 12.014, Education Code, is amended to read as  
13 follows:

14           Sec. 12.014. APPOINTMENT OF CHARTER COMMISSION. The board  
15 of trustees of a school district shall appoint a charter commission  
16 to frame a home-rule school district charter if:

17           (1) the board receives a petition requesting the  
18 appointment of a charter commission to frame a home-rule school  
19 district charter signed by at least five percent of the registered  
20 voters of the district; or

21           (2) a majority ~~at least two-thirds~~ of the total  
22 membership of the board adopts ~~adopt~~ a resolution ordering that a  
23 charter commission be appointed.

24 SECTION 3. Section 12.021(a), Education Code, is amended to read  
25 as follows:

26           (a) A ~~Subject to Section 12.022,~~ a proposed home-rule school  
27 district charter or a proposed charter amendment is adopted if

1 approved by a majority of the qualified voters of the district  
2 voting at an election held for that purpose.

3 SECTION 4. Sections 12.030(b) and (f), Education Code, are  
4 amended to read as follows:

5 (b) The governing body of the district shall order an  
6 election on the question of rescinding a home-rule school district  
7 charter if:

8 (1) the governing body receives a petition requesting a  
9 rescission election signed by at least five percent of the  
10 registered voters of the district; or

11 (2) a majority ~~at least two-thirds~~ of the total  
12 membership of the governing body adopts ~~adopt~~ a resolution ordering  
13 that a rescission election be held.

14 (f) A home-rule school district charter is rescinded if the  
15 rescission is approved by a majority of the qualified voters of the  
16 district voting at an election held for that purpose ~~at which at~~  
17 ~~least 25 percent of the registered voters of the district vote.~~

18 SECTION 5. Section 12.022, Education Code, is repealed.

19 SECTION 6. This Act takes effect immediately if it receives a vote  
20 of two-thirds of all the members elected to each house, as provided  
21 by Section 39, Article III, Texas Constitution. If this Act does  
22 not receive the vote necessary for immediate effect, this Act takes  
23 effect September 1, 2013.