

Amend CSHB 1842 (senate committee printing) as follows:

(1) Strike SECTION 2 of the bill (page 2, lines 7 through 38) and substitute the following:

SECTION 2. Section 12.101, Education Code, is amended by amending Subsection (b-4) and adding Subsection (b-9) to read as follows:

(b-4) Notwithstanding Section 12.114, approval of the commissioner under that section is not required for establishment of a new open-enrollment charter school campus if the requirements of this subsection~~[, including the absence of commissioner disapproval under Subdivision (3),]~~ are satisfied. A charter holder having an accreditation status of accredited and at least 50 percent of its student population in grades assessed under Subchapter B, Chapter 39, or at least 50 percent of the students in the grades assessed having been enrolled in the school for at least three school years may establish one or more new campuses under an existing charter held by the charter holder if:

(1) the charter holder is currently evaluated under the standard accountability procedures for evaluation under Chapter 39 and received a district rating in the highest or second highest performance rating category under Subchapter C, Chapter 39, for three of the last five years with at least 75 percent of the campuses rated under the charter also receiving a rating in the highest or second highest performance rating category and, ~~[with no campus with a rating in the lowest performance rating category]~~ in the most recent ratings, no more than 10 percent of the campuses under the charter have received a rating in the lowest performance rating category;

(2) the charter holder provides written notice to the commissioner of the establishment of any campus under this subsection in the time, manner, and form provided by rule of the commissioner; and

(3) not later than the 60th day after the date the charter holder provides written notice under Subdivision (2), the commissioner does not provide written notice to the charter holder that the commissioner has determined that the charter holder does not satisfy the requirements of this section ~~[of disapproval of a~~

~~new campus under this section].~~

(b-9) Notwithstanding Subsection (b-3), the commissioner may grant an additional charter for an open-enrollment charter school to a charter holder if:

(1) one of the charters is for a virtual open-enrollment charter school that provides only electronic courses through the state virtual school network; and

(2) the other charter is for any other type of open-enrollment charter school allowable under this chapter or commissioner rule.

(2) Add the following appropriately numbered SECTION to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 39.151, Education Code, is amended by amending Subsection (b) and adding Subsection (c-1) to read as follows:

(b) The rules under Subsection (a) must provide for the commissioner to appoint a committee to make recommendations to the commissioner on a challenge made to an agency decision relating to an academic performance rating or determination or financial accountability rating. The committee shall review the challenge regardless of the issue identified in the challenge by the school district or open-enrollment charter school. The commissioner may not appoint an agency employee as a member of the committee.

(c-1) The commissioner may not limit a challenge relating to a data or calculation error or inaccuracy attributable to the school district or open-enrollment charter school, even if the challenge demonstrates the data or calculation error or inaccuracy caused the district or school to have a lower academic or financial accountability rating. If a challenge demonstrates that the data or calculation error or inaccuracy caused the district or school to have a lower academic or financial accountability rating, the commissioner shall assign the district or school the corrected rating or shall indicate that the district or school will not be rated for that school year. The commissioner may not revoke the charter of an open-enrollment charter school as provided by Section 12.115(c) or allow the charter to expire as provided by Section 12.1141(d) if for one of the school years considered for the

commissioner's decision the school is not rated as provided by this subsection.