

By: Anchia

H.B. No. 2251

A BILL TO BE ENTITLED

AN ACT

1
2 relating to an established schedule of payments from the foundation
3 school fund of the yearly entitlement of certain open-enrollment
4 charter schools.

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

6 SECTION 1. Subchapter E, Chapter 42, Education Code, is
7 amended by adding Section 42.2591 to read as follows:

8 Sec. 42.2591. FOUNDATION SCHOOL FUND TRANSFERS TO CERTAIN
9 CHARTER SCHOOLS. (a) Not later than May 1 of each school year, the
10 commissioner shall compare the student enrollment of each
11 open-enrollment charter school for the current school year to the
12 student enrollment of the school during the preceding school year.
13 If the number of students enrolled at the open-enrollment charter
14 school for the current school year has increased by 10 percent or
15 more from the number of students enrolled during the preceding
16 school year, the open-enrollment charter school may request that
17 payments from the foundation school fund to the school for the
18 following school year and each subsequent school year, subject to
19 Subsection (b), be made according to the schedule provided under
20 Subsection (c).

21 (b) Each year the commissioner shall determine the
22 continued eligibility of an open-enrollment charter school to
23 receive payments from the foundation school fund under this
24 section. Notwithstanding Subsection (a), an open-enrollment

1 charter school that no longer qualifies to receive payment from the
2 foundation school fund under this section may continue to receive
3 payments under the schedule provided by Subsection (c) for one
4 additional school year.

5 (c) Payments from the foundation school fund to an
6 open-enrollment charter school under this section shall be made as
7 follows:

8 (1) 22 percent of the yearly entitlement of the school
9 shall be paid in an installment to be made on or before the 25th day
10 of September of a fiscal year;

11 (2) 18 percent of the yearly entitlement of the school
12 shall be paid in an installment to be made on or before the 25th day
13 of October;

14 (3) 9.5 percent of the yearly entitlement of the
15 school shall be paid in an installment to be made on or before the
16 25th day of November;

17 (4) four percent of the yearly entitlement of the
18 school shall be paid in an installment to be made on or before the
19 25th day of December;

20 (5) four percent of the yearly entitlement of the
21 school shall be paid in an installment to be made on or before the
22 25th day of January;

23 (6) four percent of the yearly entitlement of the
24 school shall be paid in an installment to be made on or before the
25 25th day of February;

26 (7) four percent of the yearly entitlement of the
27 school shall be paid in an installment to be made on or before the

1 25th day of March;

2 (8) 7.5 percent of the yearly entitlement of the
3 school shall be paid in an installment to be made on or before the
4 25th day of April;

5 (9) five percent of the yearly entitlement of the
6 school shall be paid in an installment to be made on or before the
7 25th day of May;

8 (10) seven percent of the yearly entitlement of the
9 school shall be paid in an installment to be made on or before the
10 25th day of June;

11 (11) seven percent of the yearly entitlement of the
12 school shall be paid in an installment to be made on or before the
13 25th day of July; and

14 (12) eight percent of the yearly entitlement of the
15 school shall be paid in an installment to be made on or before the
16 25th day of August.

17 (d) The amount of any installment required by this section
18 may be modified to provide an open-enrollment charter school with
19 the proper amount to which the school may be entitled by law and to
20 correct errors in the allocation or distribution of funds.

21 (e) Previously unpaid additional funds from prior fiscal
22 years owed to an open-enrollment charter school shall be paid to the
23 school together with the September payment of the current fiscal
24 year entitlement.

25 SECTION 2. (a) Section 42.2591, Education Code, as added by
26 this Act, applies only to a payment from the foundation school fund
27 that is made on or after September 1, 2015. A payment to an

1 open-enrollment charter school from the foundation school fund that
2 is made before September 1, 2015, is governed by the law in effect
3 on the date the payment was made, and the former law is continued in
4 effect for that purpose.

5 (b) The commissioner of education shall determine the
6 eligibility of an open-enrollment charter school to receive
7 payments under Section 42.2591, Education Code, as added by this
8 Act, for the 2015-2016 school year based on the growth in the
9 school's enrollment between the 2013-2014 and 2014-2015 school
10 years.

11 SECTION 3. This Act takes effect immediately if it receives
12 a vote of two-thirds of all the members elected to each house, as
13 provided by Section 39, Article III, Texas Constitution. If this
14 Act does not receive the vote necessary for immediate effect, this
15 Act takes effect September 1, 2015.