

By: Huffines

S.B. No. 1611

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of professional charter academies.

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

SECTION 1. Chapter 12, Education Code, is amended by adding Subchapter F to read as follows:

SUBCHAPTER F. PROFESSIONAL CHARTER ACADEMY PROGRAM

Sec. 12.201. PURPOSE. The purpose of this subchapter is to give education professionals the opportunity to function independently, with property rights similar to those afforded other professionals and the rewards inherent in those rights.

Sec. 12.202. PROFESSIONAL CHARTER ACADEMY PROGRAM; RULES.

(a) The comptroller, in coordination with the commissioner, shall establish a professional charter academy program under which eligible education professionals are authorized to create a professional charter academy in accordance with this subchapter.

(b) The comptroller, in coordination with the commissioner, shall adopt rules to administer this subchapter. The rules must include provisions relating to prevention of fraud in financial transactions under the professional charter academy program.

Sec. 12.203. ELIGIBLE EDUCATION PROFESSIONALS. (a) To be eligible to operate a professional charter academy under this subchapter, an education professional must:

(1) have at least five years of classroom teaching experience;

1 (2) have been rated as proficient or higher for at
2 least five years under the evaluation system used to evaluate the
3 professional; or

4 (3) have served as the principal of a school for at
5 least five years.

6 (b) A professional charter academy must be operated by at
7 least one eligible education professional.

8 Sec. 12.204. APPLICATION OF LAWS. A professional charter
9 academy is subject only to federal and state laws applicable to
10 private schools. A professional charter academy is not subject to
11 state law applicable to charter schools authorized by law other
12 than this subchapter.

13 Sec. 12.205. INITIAL FUNDING. An eligible education
14 professional under Section 12.203 is responsible for securing
15 initial capital from sources other than public funding for the
16 establishment of a professional charter academy.

17 Sec. 12.206. GRANTING OF CHARTER. The comptroller shall
18 grant a charter to operate a professional charter academy to an
19 eligible professional under Section 12.203 if the professional
20 provides to the comptroller:

21 (1) an educational business plan acceptable to the
22 comptroller;

23 (2) proof of financial ability to fund 12 months of the
24 academy's anticipated expenses, presented in the form of a bank
25 letter of credit or other acceptable financial guarantee; and

26 (3) demonstration of parental and community interest
27 in the establishment of a professional charter academy.

1 Sec. 12.207. PUBLIC FUNDING. (a) For each school year,
2 the comptroller shall provide to a student who will attend a
3 professional charter academy or the student's parent an amount
4 equal to the average state funding per student received by
5 open-enrollment charter schools during the preceding school year.
6 The student or the student's parent may assign the funding received
7 under this section to the professional charter academy the student
8 attends. The comptroller may adjust the amount provided in
9 accordance with the student's actual attendance.

10 (b) The comptroller shall provide funding to the student, to
11 the student's parent, or, if the funding has been assigned to the
12 professional charter academy, to the professional charter academy,
13 not later than the 90th day after the comptroller receives data
14 attendance reports from the professional charter academy at the end
15 of the school year.

16 (c) Federal funds and money from the available school fund
17 may not be used to make payments under this subchapter.

18 Sec. 12.208. REPORTS. (a) Not later than October 1 of each
19 year, the comptroller shall report to the commissioner and the
20 Legislative Budget Board the estimated number of students who are
21 likely to attend each professional charter academy authorized under
22 this subchapter. The report must indicate the school district a
23 student attending a professional charter academy is eligible to
24 attend.

25 (b) Not later than March 1 of each year, the comptroller
26 shall provide actual numbers of students who attend each
27 professional charter academy.

1 (c) The comptroller, the Legislative Budget Board, and the
2 agency shall modify estimates of funding under Section 42.253 using
3 the information reported under this section.

4 SECTION 2. As soon as possible but not later than the 45th
5 day after the effective date of this Act, the comptroller of public
6 accounts, in coordination with the commissioner of education, shall
7 establish the professional charter academy program as required
8 under Subchapter F, Chapter 12, Education Code, as added by this
9 Act.

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