

Amend CSHB 1291 by adding the following appropriately numbered SECTIONS to the bill and renumbering SECTIONS of the bill accordingly:

SECTION _____. Subchapter D, Chapter 12, Education Code, is amended by adding Section 12.1102 to read as follows:

Sec. 12.1102. APPEAL OF APPLICATION SELECTION DETERMINATION. (a) This section applies only if the charter application selection process includes:

(1) scoring criteria and procedures for use of the criteria by an external application review panel selected by the commissioner; and

(2) selection criteria that include the minimum score necessary for an applicant to be eligible for selection.

(b) The State Board of Education shall adopt procedures for the appeal of an application selection determination made based on the submission of an application under a process described by Subsection (a).

(c) The procedures adopted under this section must provide for an applicant who scores within five percentage points of the minimum score necessary for an applicant to be eligible for selection to appeal to the State Board of Education a score determined by the external application review panel. Under the procedures adopted under this section, the State Board of Education may not provide more than 15 days from the date the applicant receives notice that the applicant did not meet the minimum score for the applicant to submit a request for an appeal.

(d) The determination of the State Board of Education in an appeal under the procedures adopted under this section is final.

(e) If the charter applicant prevails in an appeal to the State Board of Education, the commissioner shall consider the applicant's application.

(f) If the State Board of Education fails to issue a determination in an appeal on or before the 90th day after the date the applicant submits a request for an appeal, the decision of the external application review panel is affirmed.

SECTION _____. Section 12.101(b-0), Education Code, is repealed.

SECTION _____. As soon as practicable after the effective date of this Act, the State Board of Education shall adopt procedures for the appeal of an application selection determination as provided by Section 12.1102, Education Code, as added by this Act.

SECTION _____. Section 12.1102, Education Code, as added by this Act, applies only to an application submitted on or after the effective date of this Act.