

BILL ANALYSIS

Senate Research Center

C.S.S.B. 1882
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Education
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Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Charter schools and school districts educate over 5.3 million Texas public school students. Encouraging collaboration between districts and charter schools, whether through facilities sharing, shared professional development, or a host of innovative partnership ideas, will allow more students to access high-quality schools, regardless of type. District-charter partnerships focus on building collaboration, instead of competition, between traditional school districts and charter schools.

S.B. 1882 creates conditions that encourage cooperation and innovation between districts and charter schools. If school districts and charter schools choose to partner, both entities enter into a written agreement to share teaching responsibilities, facilities, or other education resources.

S.B. 1882 incentivizes this partnership in two ways. In the partnership, the school district receives the higher of the maintenance and operations (M&O) funding amount that the district or charter school would be entitled to for each student in the partnership. Also, the district or charter will receive a one-year pause in the accountability system, receiving individual domain scores but an overall rating of "undesigned" for that first year without restarting the intervention clock. (Original Author's / Sponsor's Statement of Intent)

C.S.S.B. 1882 amends current law relating to a school district contract to partner with an open-enrollment charter school to operate a district campus.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the commissioner of education in SECTION 1 (Section 11.174, Education Code) and SECTION 2 (Section 42.2511, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter D, Chapter 11, Education Code, by adding Section 11.174, as follows:

Sec. 11.174. CONTRACT WITH OPEN-ENROLLMENT CHARTER SCHOOL REGARDING OPERATION OF DISTRICT CAMPUS. (a) Provides that if the board of trustees of a school district contracts with the governing body of an open-enrollment charter school under Section 11.157 (Contracts for Educational Services) for the district to partner with the charter school to operate a district campus as provided by this section, the campus qualifies for an exemption from intervention as provided by Subsection (f) and funding as provided under Section 42.2511.

(b) Authorizes an open-enrollment charter school to contract with a school district under this section only if the charter of the open-enrollment charter school has not been previously revoked and, for two of the three school years preceding the school year of the proposed operation of the district campus as described by Subsection (a), the charter school has received certain ratings.

(c) Requires a school district, before entering into a contract as provided by this section, to consult with campus personnel regarding the provisions to be included in the contract between the school district and the open-enrollment charter school.

(d) Requires the district campus, to operate a district campus as provided by this section, to be granted a charter under Subchapter C (Campus or Campus Program Charter), Chapter 12 (Charters).

(e) Requires the commissioner of education (commissioner) to continue to evaluate and assign overall and domain performance ratings under Section 39.054 (Methods and Standards for Evaluating Performance) to a district campus subject to a contract described by Subsection (a).

(f) Provides that this subsection applies only to a district campus subject to a contract described by Subsection (a) that received an overall performance rating of unacceptable under Subchapter C (Accreditation), Chapter 39 (Public School System Accountability), for the school year before operation of the district campus under the contract began. Prohibits the commissioner from imposing a sanction or taking action against the campus under Section 39.107(a) (relating to requiring the commissioner to order a campus that has been identified as unacceptable for two consecutive years to prepare and submit a campus turnaround plan) or (e) (relating to a campus having an unacceptable performance rating for three consecutive school years after the campus is ordered to submit a campus turnaround plan) for failure to satisfy academic performance standards during the first two school years the open-enrollment charter school operates the district campus. Provides that the overall performance rating received by the campus during those first two school years is not considered a break in consecutive school years under Section 39.107(a) or (e).

(g) Authorizes a campus subject to Subsection (f) that receives an overall performance rating of unacceptable under Subchapter C, Chapter 39, for any school year after the first two school years the school district and the open-enrollment charter school began operation of the district campus to receive an exemption from a sanction or other action only if the campus receives approval for the exemption from the commissioner.

(h) Requires a contract, subject to Subsection (i), entered into by the board of trustees of a school district and the governing body of an open-enrollment charter school for the operation of a district campus as provided by Subsection (a) to include a provision addressing student eligibility for enrollment.

(i) Requires the contract of a campus subject to Subsection (f) to provide that any student residing in the attendance zone of the district campus as the attendance zone existed before operation of the district campus under the contract to be admitted for enrollment at the campus. Requires the contract to establish enrollment preference for students who do not reside in the attendance zone as follows:

(1) other students residing in the school district in which the campus is located; and

(2) students who reside outside the school district.

(j) Authorizes the commissioner to adopt rules as necessary to administer this section, including requiring a school district to notify the commissioner of any contract entered into under this section by the district and open-enrollment charter school.

(k) Provides that this section does not prohibit a contract between a school district and another entity for the provision of services for the campus.

SECTION 2. Amends Subchapter E, Chapter 42, Education Code, by adding Section 42.2511, as follows:

Sec. 42.2511. SCHOOL DISTRICT ENTITLEMENT FOR CERTAIN STUDENTS. (a) Provides that this section applies only to a school district that has entered into a contract with an open-enrollment charter school to operate a district campus as provided by Section 11.174.

(b) Provides that, notwithstanding any other provision of this chapter (Foundation School Program) or Chapter 41 (Equalized Wealth Level), a school district subject to this section is entitled to receive for each student in average daily attendance at the campus described by Subsection (a) an amount equivalent to the difference, if the difference results in increased funding, between certain amounts.

(c) Requires the commissioner to adopt rules as necessary to administer this section.

SECTION 3. Provides that the commissioner is required to implement this Act only if the legislature appropriates money specifically for that purpose. Authorizes, but does not require the commissioner, if the legislature does not appropriate money specifically for that purpose, to implement this Act using other appropriations available for that purpose.

SECTION 4. Provides that this Act applies beginning with the 2017-2018 school year.

SECTION 5. Effective date: upon passage or September 1, 2017.