

By: Rodríguez

S.B. No. 422

A BILL TO BE ENTITLED

AN ACT

relating to the admission policy of an open-enrollment charter school.

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

SECTION 1. Section 12.111(a), Education Code, is amended to read as follows:

(a) Each charter granted under this subchapter must:

(1) describe the educational program to be offered, which must include the required curriculum as provided by Section 28.002;

(2) provide that continuation of the charter is contingent on the status of the charter as determined under Section 12.1141 or 12.115 or under Subchapter E, Chapter 39;

(3) specify the academic, operational, and financial performance expectations by which a school operating under the charter will be evaluated, which must include applicable elements of the performance frameworks adopted under Section 12.1181;

(4) specify:

(A) any basis, in addition to a basis specified by this subchapter or Subchapter E, Chapter 39, on which the charter may be revoked, renewal of the charter may be denied, or the charter may be allowed to expire; and

(B) the standards for evaluation of a school operating under the charter for purposes of charter renewal, denial

1 of renewal, expiration, revocation, or other intervention in
2 accordance with Section 12.1141 or 12.115 or Subchapter E, Chapter
3 39, as applicable;

4 (5) prohibit discrimination in admission policy on the
5 basis of sex, national origin, ethnicity, religion, disability,
6 academic, artistic, or athletic ability, or the district the child
7 would otherwise attend in accordance with this code, although the
8 charter may:

9 (A) provide for the exclusion of a student who
10 has a documented history of a criminal offense, a juvenile court
11 adjudication, or a placement in a disciplinary alternative
12 education program or a juvenile justice alternative education
13 program [~~discipline problems under Subchapter A, Chapter 37~~]; and

14 (B) provide for an admission policy that requires
15 a student to demonstrate artistic ability if the school specializes
16 in performing arts;

17 (6) specify the grade levels to be offered;

18 (7) describe the governing structure of the program,
19 including:

20 (A) the officer positions designated;

21 (B) the manner in which officers are selected and
22 removed from office;

23 (C) the manner in which members of the governing
24 body of the school are selected and removed from office;

25 (D) the manner in which vacancies on that
26 governing body are filled;

27 (E) the term for which members of that governing

1 body serve; and

2 (F) whether the terms are to be staggered;

3 (8) specify the powers or duties of the governing body
4 of the school that the governing body may delegate to an officer;

5 (9) specify the manner in which the school will
6 distribute to parents information related to the qualifications of
7 each professional employee of the program, including any
8 professional or educational degree held by each employee, a
9 statement of any certification under Subchapter B, Chapter 21, held
10 by each employee, and any relevant experience of each employee;

11 (10) describe the process by which the person
12 providing the program will adopt an annual budget;

13 (11) describe the manner in which an annual audit of
14 the financial and programmatic operations of the program is to be
15 conducted, including the manner in which the person providing the
16 program will provide information necessary for the school district
17 in which the program is located to participate, as required by this
18 code or by commissioner rule, in the Public Education Information
19 Management System (PEIMS);

20 (12) describe the facilities to be used;

21 (13) describe the geographical area served by the
22 program;

23 (14) specify any type of enrollment criteria to be
24 used;

25 (15) provide information, as determined by the
26 commissioner, relating to any management company that will provide
27 management services to a school operating under the charter; and

1 (16) specify that the governing body of an
2 open-enrollment charter school accepts and may not delegate
3 ultimate responsibility for the school, including the school's
4 academic performance and financial and operational viability, and
5 is responsible for overseeing any management company providing
6 management services for the school and for holding the management
7 company accountable for the school's performance.

8 SECTION 2. The changes in law made by this Act apply only to
9 a charter granted or renewed on or after the effective date of this
10 Act.

11 SECTION 3. This Act takes effect September 1, 2017.