

By: Taylor of Collin

S.B. No. 1061

A BILL TO BE ENTITLED

AN ACT

relating to the powers and duties of the commissioner of education regarding granting additional charters for open-enrollment charter schools.

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

SECTION 1. Subchapter D, Chapter 12, Education Code, is amended by adding Section 12.1015 to read as follows:

Sec. 12.1015. ADDITIONAL CHARTER FOR OPEN-ENROLLMENT CHARTER SCHOOLS ALLOWED. (a) Notwithstanding Section 12.101(b-3), the commissioner may grant more than one charter for an open-enrollment charter school to a charter holder if the additional charter is for an open-enrollment charter school that has a distinct purpose or student population.

(b) The commissioner by rule shall identify various types of open-enrollment charter schools to be used to determine if an open-enrollment charter school has a distinct purpose or will serve a different student population for purposes of this section. The commissioner may award a charter under Subsection (a) if the commissioner determines the charter will serve a distinct purpose or student population regardless of whether the type of school for which the charter is sought has been identified by the commissioner.

(c) The rules adopted under Subsection (b) must account for the following types of open-enrollment charter schools:

1 (1) an open-enrollment charter school that serves a
2 general student population through a distinctly different
3 educational model;

4 (2) an alternative education open-enrollment charter
5 school that serves students who:

6 (A) have dropped out of school; or

7 (B) are students at risk of dropping out of
8 school, as defined by Section 29.081;

9 (3) an open-enrollment charter school operating under
10 a charter granted under Section 12.1014;

11 (4) a virtual open-enrollment charter school;

12 (5) any other open-enrollment charter school that
13 serves a distinct student population, as determined by commissioner
14 rule; and

15 (6) an open-enrollment charter school that has assumed
16 the operations of another charter holder's open-enrollment charter
17 school or school district campus and is implementing a campus
18 turnaround plan approved by the commissioner under Chapter 39.

19 (d) Notwithstanding Subsection (c)(6), the transfer of an
20 existing charter school to a charter holder authorized under this
21 section does not affect the performance rating assigned for the
22 current school year or previous school years or any intervention or
23 sanction actions determined by the commissioner under this
24 subchapter or Chapter 39.

25 SECTION 2. This Act applies beginning with the 2017-2018
26 school year.

27 SECTION 3. This Act takes effect only if a specific

1 appropriation for the implementation of the Act is provided in a
2 general appropriations act of the 85th Legislature.

3 SECTION 4. This Act takes effect immediately if it receives
4 a vote of two-thirds of all the members elected to each house, as
5 provided by Section 39, Article III, Texas Constitution. If this
6 Act does not receive the vote necessary for immediate effect, this
7 Act takes effect September 1, 2017.