86R7844 CAE-D

By:  Bohac H.B. No. 3861

A BILL TO BE ENTITLED

AN ACT

relating to state funding and accountability provisions applicable to school district campuses and programs operated under school district and charter partnerships.

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

SECTION 1.  Section 11.157, Education Code, is amended to read as follows:

Sec. 11.157.  CONTRACTS FOR EDUCATIONAL SERVICES. (a) The board of trustees of an independent school district may contract with a public or private entity for that entity to provide educational services for the district.

(b)  If the board of trustees of a school district grants a campus program charter as provided by Section 12.052 and contracts with an entity that has been awarded a charter under Section 12.101(a) to jointly operate the campus program, the school district qualifies for funding for the campus program under Section 42.2511.

SECTION 2.  Section 11.174, Education Code, is amended by amending Subsection (f) and adding Subsection (f-1) to read as follows:

(f)  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, Chapter 39, for the school year before operation of the district campus under the contract began. The commissioner may not impose a sanction or take action against the campus under Section 39A.101 [~~39.107(a) or (e)~~] for failure to satisfy academic performance standards during the first two school years of operation of a district campus under Subsection (a). The overall performance rating received by the campus during those first two school years is not included in calculating consecutive school years and is not considered a break in consecutive school years under Section 39A.101 [~~39.107(a) or (e)~~].

(f-1)  Subsection (f) does not affect the applicability of Section 39A.111 to the campus, and the performance rating received by the campus during those first two school years is included in calculating consecutive school years for purposes of that section. A campus that, as a result of the exemption from intervention, is not required to submit a campus turnaround plan after two consecutive school years of unacceptable performance is subject to Section 39A.111 as if the campus submitted a plan at the time that the plan would have otherwise been required.

SECTION 3.  Sections 42.2511(a) and (b), Education Code, are amended to read as follows:

(a)  This section applies only to:

(1)  a school district and an open-enrollment charter school that enter into a contract to operate a district campus as provided by Section 11.174; [~~and~~]

(2)  a charter granted by a school district for a program operated by an entity that has entered into a contract under Section 11.174, provided that the district does not appoint a majority of the governing body of the charter holder; and

(3)  a school district that contracts with an entity to operate a campus program as provided by Section 11.157(b).

(b)  Notwithstanding any other provision of this chapter or Chapter 41, a school district subject to this section is entitled to receive for each student in average daily attendance at the campus or program described by Subsection (a) an amount equivalent to the difference, if the difference results in increased funding, between:

(1)  the amount described by Section 12.106; and

(2)  the amount to which the district would be entitled under this chapter.

SECTION 4.  This Act applies beginning with the 2019-2020 school year.

SECTION 5.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.