

By: White

H.B. No. 1930

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of a charter school by the Texas Juvenile Justice Department.

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

SECTION 1. Subtitle C, Title 2, Education Code, is amended by adding Chapter 20 to read as follows:

CHAPTER 20. TEXAS JUVENILE JUSTICE DEPARTMENT CHARTER SCHOOL

Sec. 20.001. DEFINITIONS. In this chapter:

(1) "Board" means the Texas Juvenile Justice Board.

(2) "Charter school" means the charter school established under this chapter.

(3) "Department" means the Texas Juvenile Justice Department.

Sec. 20.002. ESTABLISHMENT. (a) The board may establish a charter school to educate children previously adjudicated as having engaged in conduct indicating a need for supervision or delinquent conduct.

(b) The charter school may only be established in a county with a population of at least 250,000 but not more than 270,000 that is located less than 100 miles from a department district office.

(c) The board is the governing body of the charter school and shall provide for the operation of the charter school in the manner the board determines appropriate.

Sec. 20.003. SUNSET PROVISION. The charter school is

1 subject to review under Chapter 325, Government Code (Texas Sunset
2 Act), and shall be reviewed during the period in which the
3 department is reviewed.

4 Sec. 20.004. GOALS. The goals of the charter school are to:

5 (1) enable students to:

6 (A) achieve high academic standards in secondary
7 education;

8 (B) participate in the workforce;

9 (C) join the military; and

10 (D) enroll in postsecondary education;

11 (2) maintain safe communities;

12 (3) reduce future adverse involvement in the criminal
13 justice system; and

14 (4) contribute to the prosperity and welfare of this
15 state.

16 Sec. 20.005. APPLICABILITY OF CODE. (a) Unless otherwise
17 specifically provided, a provision of this code applying to a
18 charter school or to the governing body of a charter school does not
19 apply to the charter school established under this chapter.

20 (b) The charter school is subject to a requirement imposed
21 by this title relating to:

22 (1) the required curriculum under Section 28.002;

23 (2) high school graduation requirements under Section
24 28.025; and

25 (3) academic and financial accountability standards
26 under Chapter 39.

27 Sec. 20.006. DUTIES. The charter school shall:

1 (1) develop an academic achievement plan for each
2 student attending the charter school that is designed to produce
3 high academic achievement and prepare the student for postsecondary
4 education or a military career;

5 (2) develop and implement a comprehensive,
6 evidence-based, individualized therapeutic counseling plan for
7 each student to facilitate academic achievement, mitigate
8 delinquent behavior, and encourage the involvement of the student's
9 parent or guardian; and

10 (3) provide vocational training programs that enable
11 students to obtain workforce credentials, including certification
12 or licensure.

13 Sec. 20.007. STAFF. (a) The charter school shall develop
14 or adopt a method to:

15 (1) attract and hire certified and highly qualified
16 teachers; and

17 (2) verify an applicant or employee's criminal history
18 record and disciplinary record, including criminal history or
19 disciplinary action relating to inappropriate conduct or
20 relationships with students or minors.

21 (b) The charter school shall employ:

22 (1) a principal who has a well-developed background in
23 academic leadership and demonstrated experience in dealing with
24 children who have entered the juvenile justice system;

25 (2) a sufficient number of:

26 (A) teachers to maintain a maximum of 15 students
27 in each class in the foundation curriculum under Section

1 28.002(a)(1); and

2 (B) social workers to maintain a ratio of not
3 less than one social worker for every three students to enable the
4 close management of students and the development of constructive
5 relationships between the social workers and students; and

6 (3) a highly qualified dietician to prepare healthy
7 meal plans for students, including breakfast, lunch, and dinner.

8 Sec. 20.008. FACILITIES. The charter school must be
9 located in a facility selected by the department, in consultation
10 with a qualified architect, that is designed in a manner to
11 facilitate academic and behavioral development.

12 Sec. 20.009. FUNDING. (a) The charter school is entitled to
13 receive funding from the state in the same manner as an
14 open-enrollment charter school under Section 12.106.

15 (b) In addition to money received under Subsection (a), the
16 charter school may receive appropriated money from the department
17 to provide educational programs.

18 Sec. 20.010. GIFTS AND GRANTS. (a) The charter school may
19 accept a grant from a public or private organization and may spend
20 those funds to provide the charter school's programs and services.

21 (b) The charter school may accept federal funds and shall
22 use those funds in compliance with applicable federal law.

23 Sec. 20.011. COORDINATION. The department may coordinate
24 or partner with the juvenile probation department of the county in
25 which the charter school is located or with any other public or
26 private entity to establish the charter school or to provide the
27 charter school's programs or services.

1 SECTION 2. Section 1.001(b), Education Code, is amended to
2 read as follows:

3 (b) Except as provided by Chapter 18, Chapter 19, Chapter
4 20, Subchapter A of Chapter 29, Subchapter E of Chapter 30, or
5 Chapter 30A, this code does not apply to students, facilities, or
6 programs under the jurisdiction of the Department of Aging and
7 Disability Services, the Department of State Health Services, the
8 Health and Human Services Commission, the Texas Juvenile Justice
9 Department, the Texas Department of Criminal Justice, a Job Corps
10 program operated by or under contract with the United States
11 Department of Labor, or any juvenile probation agency.

12 SECTION 3. Section 661.031(2), Government Code, is amended
13 to read as follows:

14 (2) "State employee" means an individual who is an
15 appointed officer or employee of a state agency and who normally
16 works 900 hours or more a year. The term includes:

- 17 (A) an hourly employee;
- 18 (B) a temporary employee;
- 19 (C) a person employed by:
- 20 (i) the Teacher Retirement System of Texas;
- 21 (ii) the Texas Education Agency;
- 22 (iii) the Texas Higher Education
23 Coordinating Board;
- 24 (iv) the Texas School for the Blind and
25 Visually Impaired;
- 26 (v) the Texas School for the Deaf;
- 27 (vi) the Texas Juvenile Justice Department;

- 1 (vii) the Windham School District; [~~or~~]
- 2 (viii) the Department of Assistive and
- 3 Rehabilitative Services; or
- 4 (ix) a charter school established under
- 5 Chapter 20, Education Code; and

6 (D) a classified, administrative, faculty, or

7 professional employee of a state institution or agency of higher

8 education who has accumulated vacation leave, sick leave, or both,

9 during the employment.

10 SECTION 4. Section 661.061(2), Government Code, is amended

11 to read as follows:

12 (2) "State employee" means an employee or appointed

13 officer of a state agency. The term includes:

- 14 (A) a full-time employee or officer;
- 15 (B) a part-time employee or officer;
- 16 (C) an hourly employee;
- 17 (D) a temporary employee;
- 18 (E) a person employed by:
 - 19 (i) the Teacher Retirement System of Texas;
 - 20 (ii) the Texas Education Agency;
 - 21 (iii) the Texas Higher Education
 - 22 Coordinating Board;
 - 23 (iv) the Texas School for the Blind and
 - 24 Visually Impaired;
 - 25 (v) the Texas School for the Deaf;
 - 26 (vi) the Texas Juvenile Justice Department;
 - 27 (vii) the Windham School District; [~~or~~]

1 (viii) the Department of Assistive and
2 Rehabilitative Services; or

3 (ix) a charter school established under
4 Chapter 20, Education Code; or

5 (F) a classified, administrative, faculty, or
6 professional employee of a state institution or agency of higher
7 education who has accumulated vacation leave during the employment.

8 SECTION 5. Section 1551.319(d), Insurance Code, is amended
9 to read as follows:

10 (d) The executive head of the Windham School District or a
11 charter school established under Chapter 20, Education Code, shall
12 determine whether an educational professional employee of the
13 district or school is a full-time employee for purposes of this
14 chapter.

15 SECTION 6. This Act takes effect September 1, 2019.