

By: Bohac

H.B. No. 3861

Substitute the following for H.B. No. 3861:

By: Sanford

C.S.H.B. No. 3861

A BILL TO BE ENTITLED

1 AN ACT
2 relating to approval of school district and charter school
3 partnerships to operate school district campuses and programs and
4 to eligibility for state funding.

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

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

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

12 (b) A school district and open-enrollment charter school
13 may apply to the commissioner for approval to jointly operate a
14 campus or campus program. During each school year, the
15 commissioner may approve not more than three contracts for a school
16 district and open-enrollment charter school to jointly operate a
17 campus or campus program and to receive funding as provided by
18 Subsection (d). This subsection does not apply to the renewal of a
19 contract previously approved by the commissioner.

20 (c) A school district contract with an open-enrollment
21 charter school to jointly operate a campus or campus program during
22 the 2017-2018 school year is considered to be a contract approved by
23 the commissioner and is eligible to receive funding as provided by
24 Subsection (d).

1 (d) A school district that contracts with the governing body
2 of an open-enrollment charter school to jointly operate a campus or
3 campus program qualifies for funding under Section 42.2511 for each
4 student or the portion of each student's school day under the
5 direction of the open-enrollment charter school if the most recent
6 accountability rating of:

7 (1) the campus was a C or higher under Subchapter C,
8 Chapter 39; and

9 (2) the open-enrollment charter school was a C or
10 higher under Subchapters C and D, Chapter 39.

11 (e) The commissioner may adopt rules and collect data to
12 determine the portion of funding a school district is entitled to
13 under Subsection (d) if the district contracts with an
14 open-enrollment charter school to jointly operate a campus program.

15 SECTION 2. Sections 42.2511(a) and (b), Education Code, are
16 amended to read as follows:

17 (a) This section applies only to:

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

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

25 (3) a school district that contracts with an
26 open-enrollment charter school to jointly operate a campus or
27 campus program as provided by Section 11.157(d).

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

- 7 (1) the amount described by Section 12.106; and
8 (2) the amount to which the district would be entitled
9 under this chapter.

10 SECTION 3. This Act applies beginning with the 2019-2020
11 school year.

12 SECTION 4. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2019.