

By: Rodríguez

S.B. No. 141

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 Chapter 39A;

(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 Chapter 39A, 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 Chapter 39A, as
3 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 an order for placement in a disciplinary
12 alternative education program or a juvenile justice alternative
13 education program [~~discipline problems under Subchapter A, Chapter~~
14 ~~37~~]; and

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

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

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

21 (A) the officer positions designated;

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

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

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

1 (E) the term for which members of that governing
2 body serve; and

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

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

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

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

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

21 (12) describe the facilities to be used;

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

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

26 (15) provide information, as determined by the
27 commissioner, relating to any management company that will provide

1 management services to a school operating under the charter; and

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

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

12 SECTION 3. This Act takes effect September 1, 2019.